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CITY OF NEWMAN GENERAL PLAN

HOUSING ELEMENT

Final

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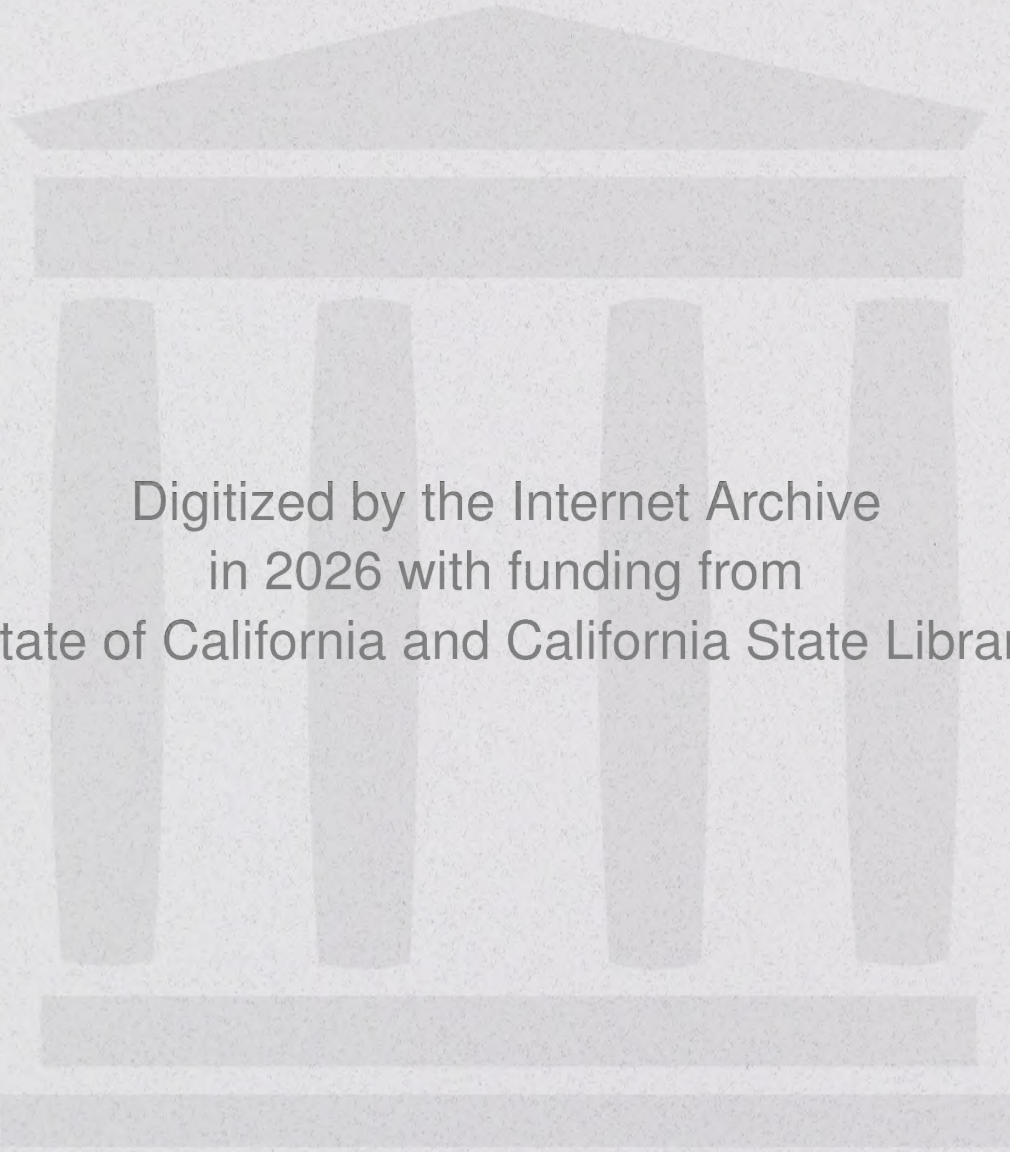
PREPARED FOR

City of Newman Community Development Department

December 2003

EMC PLANNING GROUP INC.
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HOUSING ELEMENT

Final

PREPARED FOR

City of Newman

Community Development Department

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December 2003

RESOLUTION NO. 2003-53

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWMAN ADOPTING
AMENDMENTS TO THE NEWMAN GENERAL PLAN HOUSING ELEMENT**

WHEREAS, the Newman City Council, on October 20, 1992 adopted a General Plan update of the City of Newman; and

WHEREAS, the General Plan included a Housing Element containing background information, goals, policies and standards for housing within the City of Newman; and

WHEREAS, this Housing Element was determined by the California State Department of Housing and Community Development (HCD) to be deficient in several areas of California Housing Element law; and

WHEREAS, the City of Newman has caused to be prepared certain revisions to this Housing Element to bring the document into conformity with the HCD interpretation of State law.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Newman adopts amendments to the Newman Housing Element as follows:

1. Chapter II, "Housing" of the Newman General Plan Background Report is amended to reflect the text contained in Attachment "A" of this Resolution.
2. Part II, Section III "Housing" of the Newman General Plan Policy Document is amended to reflect the text contained in Attachment "B" of this Resolution.
3. Part III, Section III "Housing" of the Newman General Plan Policy Document is amended to reflect the text contained in Attachment "C" of this Resolution.

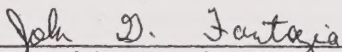
The foregoing resolution was introduced at a regular meeting of the City Council of the City of Newman held on the 9th day of December, 2003 by Councilmember Reed, who moved its adoption, which motion was duly seconded and it was upon roll call carried and the resolution adopted by the following roll call vote:

AYES: Parker, Marquez, Martina, Reed and Mayor Fantazia

NOES: None

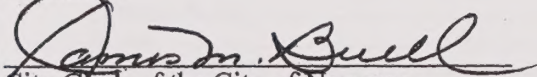
ABSENT: None

APPROVED:



Mayor of the City of Newman

ATTEST:



City Clerk of the City of Newman

I hereby certify that the foregoing resolution is a full, correct and true copy of a resolution passed by the City Council of the City of Newman, a municipal corporation of the County of Stanislaus, State of California, at a regular meeting held on December 9, 2003 and I further certify that said resolution is in full force and effect and has never been rescinded or modified.

DATED: 12-10-03

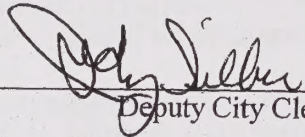

Deputy City Clerk

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Introduction

Under the requirements of state law, every city and county in California must prepare a housing element as part of its general plan. The housing element must document in detail existing conditions and projected needs. It must also contain goals, policies, programs, and quantified objectives that address housing needs over the next five-year period.

This document is organized into seventeen sections. The first section summarizes information on Newman's population. The second section describes Newman's housing stock characteristics. The third section summarizes employment and income. The fourth section discusses housing costs, affordability, and overpayment. The fifth section describes existing and projected housing needs and the housing needs of special populations living in the community. The sixth section identifies sites that are available to meet Newman's future housing needs and discusses the services available to support development of these sites. The seventh section discusses land use controls and governmental constraints, such as zoning and development fees. The eighth section discusses non-governmental constraints, such as interest rates and the cost of land. The ninth section discusses existing housing programs in Newman. The tenth section summarizes information concerning Newman's Redevelopment Agency. The eleventh section surveys existing affordable housing in Newman and reports on the number of units that could be lost from the City's low-income housing stock in the next decade. The twelfth section reports on publicly-owned surplus land in Newman. The thirteenth section outlines opportunities for energy conservation in Newman's existing and future housing stock. The fourteenth section analyzes the Housing Element's consistency with the Newman General Plan. The fifteenth section summarizes the public participation program employed during the Housing Element update process. The sixteenth section is a review of Newman's 1998 housing element (drafted in 1993, with final adoption and HCD approval in 1998). Finally, the seventeenth section sets forth goals, policies, programs, and quantified objectives for the updated Housing Element.

Population Profile

This section summarizes information about Newman's current and future population. The information in this section comes from the U.S. Census Bureau (Census 2000), the California Department of Finance (DOF), and the Stanislaus County Council of Governments (StanCOG).

HISTORIC POPULATION GROWTH

Newman is a small community that is experiencing a relatively high rate of growth. Since the last Housing Element Update adopted in 1998, Newman added 368 housing units. During the same period, Newman's population grew at an annual average rate of growth of 5.8 percent, adding 1,914 persons. While much of this new population was attracted by the availability of new housing, Newman also grew by having almost half of its vacant housing stock occupied and by adding more persons per household. Since

the last Housing Element Update, 104 of Newman's 227 vacant housing units have been occupied, and Newman's person per household rate increased from 3.360 to 3.448. Together, these factors account for approximately one third of Newman's recent population increase. Table II-1 shows historical population and housing growth in Newman.

Table II-1
Historical Population Growth
1980 to 2003

Annual Average Growth Rate (1998 to 2003) = 5.8 Percent

	Population			Housing Units		Persons per Household
	Total	Households	Group Quarters	Total	Occupied	
1980	2,785	2,785	0	1,049	1,007	2.700
1990	4,158	4,158	0	1,523	1,347	3.087
1998	5,849	5,849	0	1,968	1,741	3.360
2000	7,093	7,027	66	2,176	2,079	3.380
2003	7,763	7,697	66	2,336	2,232	3.448

Source: California Department of Finance

RECENT ARRIVALS

Of course, adding approximately 1,900 persons in the last five years means that Newman has a lot of newcomers. According to the U. S. Census Bureau, almost a third of Newman's residents moved to the city since 1995. This is higher than Stanislaus County as a whole and represents a modest increase in newcomers in Newman since 1990. Table II-2 summarizes information on recent arrivals in Stanislaus County and Newman.

Table II-2
Recent Arrivals in Stanislaus County and Newman
1990 and 2000

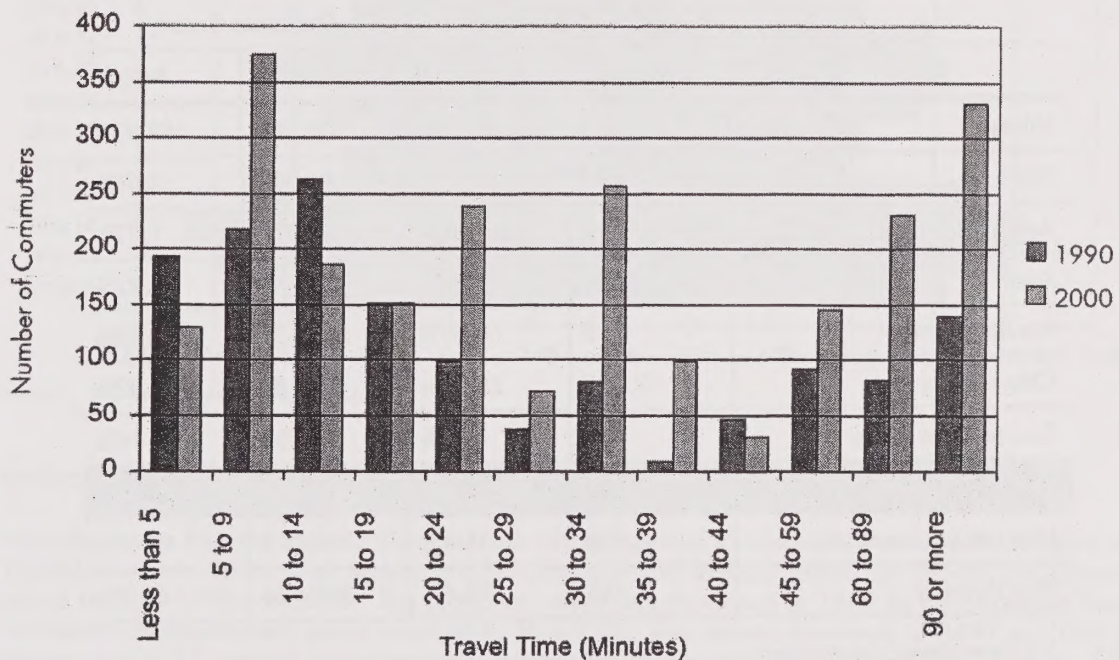
	1990		2000	
	Stanislaus County	Newman	Stanislaus County	Newman
Total (Residents Over 5 Years in Age)	336,746	3,764	411,833	6,425
Lived in Same Place 5 Years Ago	140,708	1,867	280,503	4,127
Lived Elsewhere 5 Years Ago	91,333	1,127	120,324	2,156
Percent Who Lived Elsewhere	27.1%	29.9%	29.2%	33.6%

Source: U.S. Census Bureau; Coastplans.com

COMMUTER PATTERNS

Many Newman residents are traveling longer distances to get to work. According to an analysis of travel time to work using 1990 and 2000 Census data, approximately half of Newman's workforce was traveling more than 15 minutes to work in 1990. In 2000, this percentage increased to approximately 70 percent. Much of the increased travel time to work is attributable to employment opportunities within Stanislaus or Merced Counties (less than one hour to work). But there is also evidence of significant increases in travel to more distant employment centers, probably Santa Clara Valley (greater than one hour to work). Figure II-1 shows the change in travel time to work by Newman residents.

Figure II-1
Changes in Travel Time
1990 and 2000



RACE AND ETHNICITY

According to the U.S. Census Bureau, slightly more than half (51.4 percent) of Newman's population was Latino in 2000, up from 42.4 percent in 1990. This is significantly more than the percent of total population for Stanislaus County, which was 31.7 percent Latino in 2000, up from 21.6 percent in 1990. Table II-3 shows the racial and ethnic composition of Newman and Stanislaus County in 2000.

Table II-3
Racial Composition
City of Newman and Stanislaus County

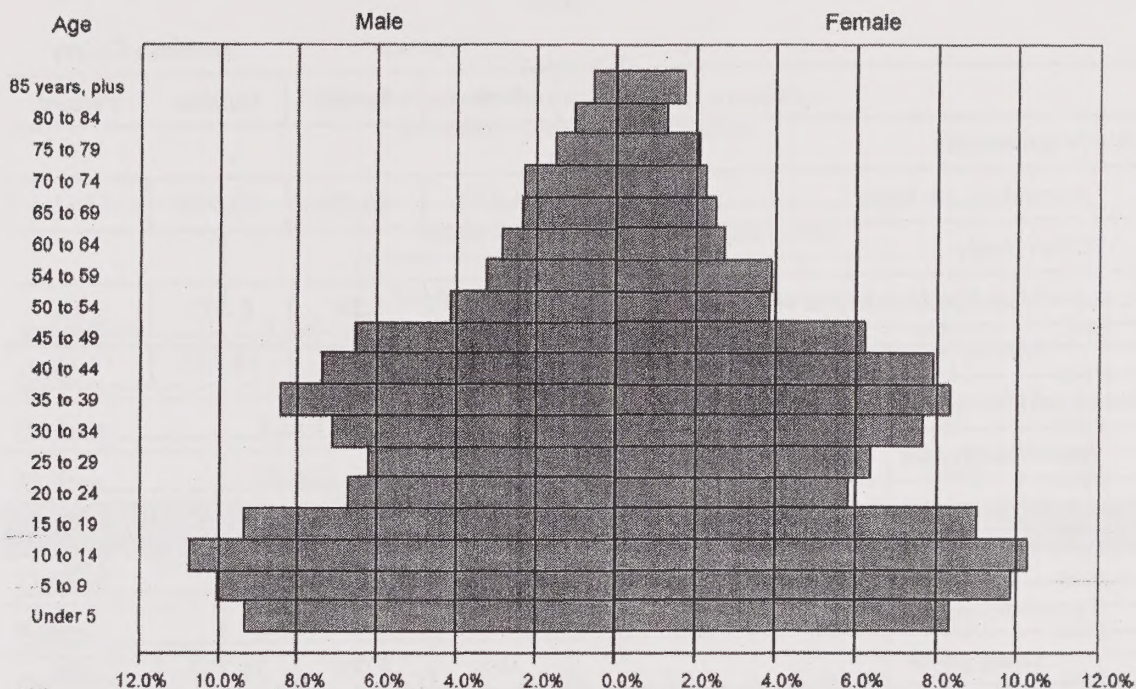
	City of Newman		Stanislaus County	
	Number	Percent	Number	Percent
White	4,310	60.76%	309,901	69.33%
Black	89	1.25%	11,521	2.58%
American Indian	94	1.33%	5,676	1.27%
Asian	131	1.85%	18,848	4.22%
Pacific Islander	5	0.07%	1,529	0.34%
Other Single Race	2,051	28.92%	75,187	16.82%
Two or More Races	413	5.82%	24,335	5.44%
Total	7,093	100.0%	446,997	100.0%
Hispanic (of any race)	3,648	51.4%	141,871	31.7%
Non Hispanic	3,445	48.6%	305,126	68.3%

Source: U.S. Census Bureau, Coastplans.com

POPULATION AGE STRUCTURE

Another interesting aspect of Newman's changing population is the out-migration of an increasingly broad segment of Newman's young people. According to the U.S. Census, there has been a noticeable reduction in population in the age cohorts of 25 to 29 and 30 to 34. Approximately 10 percent of Newman's population was in these age cohorts in 1990, but by 2000, this percentage had dropped to approximately seven percent. This reduction added to an already constricted population in the age cohort 20 to 25 years that was evident in 1990. Figure II-2 shows the population pyramid for Newman in 2000.

Figure II-2
Newman Population Pyramid
2000



Source: U.S. Census Bureau; Coastplans.com

PROJECTED POPULATION GROWTH

According to the Newman General Plan (October 1992), Newman's population is expected to increase to 13,000 persons by 2010, which represents a 5.8 percent annual average growth rate through the 20-year period between 1990 and 2010. This projection, which was developed in 1989 by the Stanislaus Area Association of Government (since renamed to StanCOG), was revised downward in 1997 to 10,676 persons and a 2.1 percent annual average growth rate. Newman's actual growth rate since the last Housing Element update (as reported on page one of this document) has outpaced the 1997 projection and instead matches the earlier 1989 projection.

HOUSEHOLD COMPOSITION

Newman is a traditional family city. According to the U.S. Census Bureau, approximately 63 percent of all households in Newman are headed by a married couple. This compares to 57 percent for Stanislaus County as a whole. Newman also has a lower percentage of single-parent households and persons living alone than Stanislaus County as a whole. Table II-4 shows household composition for Newman and Stanislaus County.

**Table II-4
Household Composition
Stanislaus County and Newman
2000**

	Newman		Stanislaus County	
	Number	Percent	Number	Percent
Family households				
Married-couple family	1,323	63.3%	82,930	57.1%
Other family				
Male householder, no wife present	110	5.3%	8,201	5.7%
Female householder, no husband present	242	11.6%	18,982	13.1%
Non-family households				
Male householder				
Living alone	122	5.8%	11,465	7.9%
Not living alone	63	3.0%	4,194	2.9%
Female householder				
Living alone	189	9.0%	16,723	11.5%
Not living alone	41	2.0%	2,651	1.8%
Total	2,090	100.0%	145,146	100.0%

Source: U.S. Census Bureau; Coastplans.com

Housing Stock Characteristics

This section describes Newman's housing stock characteristics, with comparisons to surrounding cities and Stanislaus County. The information in this section comes primarily from the U.S. Census Bureau, the California Department of Finance, and StanCOG, and the City of Newman.

HOUSING STOCK GROWTH AND COMPOSITION

Newman's housing stock is predominantly single family, with less than 14 percent of all housing stock being multi-family. Newman's growth in dwelling units since the 1998 Housing Element Update (368 dwelling units) represents an 18.7 percent increase in the number of dwelling units in the city (an annual average rate of growth of 3.5 percent). This growth did not, however, change the mix of housing in Newman, with the proportion of single family dwellings remaining at approximately 86 percent.

When compared to other Stanislaus County jurisdictions, Newman's housing stock has a larger proportion of single family housing than the county as a whole (86 percent v. 78 percent) and a corresponding lower proportion of multi-family housing (13 percent v. 16 percent). When compared with California as a

whole, the slight disparity widens for single family housing (86 percent v. 63 percent) and for multi-family housing (13 percent v. 32 percent). Table II-5 compares Newman's housing stock to that of other Stanislaus County jurisdictions and to California.

Table II-5
Comparison of Housing Stock Composition
Stanislaus County Jurisdictions
2003

Jurisdiction	Total	Single Family		Multiple Family		Mobile Homes	Percent of Total
		Single Family	Percent of Total	Multi Family	Percent of Total		
Ceres	11,109	8,808	79.3%	1,589	14.3%	712	6.4%
Hughson	1,517	1,227	80.9%	201	13.2%	89	5.9%
Modesto	70,969	53,530	75.4%	15,476	21.8%	1,963	2.8%
Newman	2,336	2,000	85.6%	310	13.3%	26	1.1%
Oakdale	6,144	4,763	77.5%	1,170	19.0%	211	3.4%
Patterson	3,777	3,435	90.9%	214	5.7%	128	3.4%
Riverbank	5,025	4,374	87.0%	362	7.2%	289	5.8%
Turlock	20,624	14,919	72.3%	5,101	24.7%	604	2.9%
Waterford	2,259	1,890	83.7%	340	15.1%	29	1.3%
Unincorporated	35,655	29,380	82.4%	1,357	3.8%	4,918	13.8%
Incorporated	123,760	94,946	76.7%	24,763	20.0%	4,051	3.3%
County Total	159,415	124,326	78.0%	26,120	16.4%	8,969	5.6%

Source: California Department of Finance, Coastplans.com

If the single family dwelling category is broken down into attached and detached units and compared with other jurisdictions, it becomes evident that Newman has developed proportionately fewer of the more affordable forms of attached single family housing, such as the halfplex and other types of zero-lot-line development, than many of its neighboring cities. While some communities, such as Ceres and Waterford, have lower proportions of attached single-family housing, they make up for the shortage with greater proportions of multi-family housing. On average, 6.4 percent of the single family housing stock in incorporated communities in Stanislaus County is attached housing. Table II-6 compares attached and detached housing in Stanislaus County jurisdictions.

Table II-6
Attached and Detached Single Family Dwelling Units
Stanislaus County Jurisdictions
2003

Jurisdiction	Total SFD	Detached	Percent of Total	Attached	Percent of Total
Ceres	8,808	8,465	96.1%	343	3.9%
Hughson	1,227	1,162	94.7%	65	5.3%
Modesto	53,530	49,524	92.5%	4,006	7.5%
Newman	2,000	1,924	96.2%	76	3.8%
Oakdale	4,763	4,555	95.6%	208	4.4%
Patterson	3,435	3,245	94.5%	190	5.5%
Riverbank	4,374	4,189	95.8%	185	4.2%
Turlock	14,919	13,956	93.5%	963	6.5%
Waterford	1,890	1,843	97.5%	47	2.5%
Unincorporated	29,380	28,322	96.4%	1,058	3.6%
Incorporated	94,946	88,863	93.6%	6,083	6.4%
County Total	124,326	117,185	94.3%	7,141	5.7%

Source: California Department of Finance, Coastplans.com

AGE AND CONDITION OF HOUSING STOCK

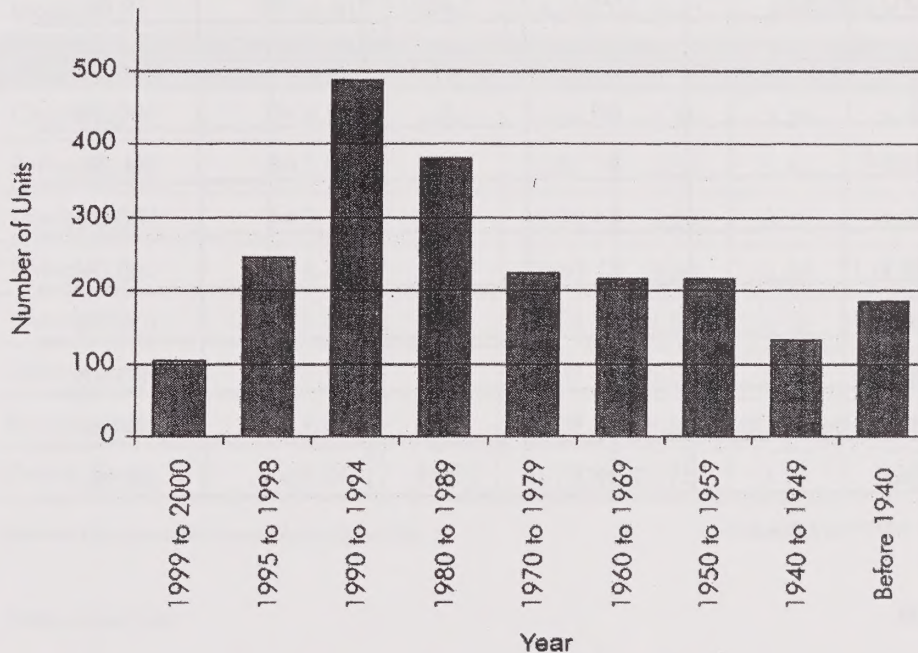
Newman's housing stock is relatively new and in good condition. The 1993 Housing Element identified 65 units in need of moderate rehabilitation, 14 units in need of substantial rehabilitation, and 7 units in dilapidated condition (a total of 86 units). In 1995 and 1998, the City of Newman received CDBG grants of \$300,000 and \$500,000, respectively, which resulted in the rehabilitation of 28 housing units in Newman. In addition, Self-Help Enterprises received two \$500,000 grants for housing rehabilitation in 2000 and 2002, which will result in the rehabilitation of 24 additional units. Therefore, by the end of the latest grants, 52 housing units will have been rehabilitated in Newman since 1995. If no additional units have fallen into disrepair since 1993, there would still be 34 units in need of rehabilitation. Self-Help Enterprises currently has 23 persons on its interest list for housing rehabilitation assistance.

Finally, vacancy rates in Newman have dropped since 1990 from 11.56 to 4.45, indicating higher demand for housing and fewer vacant units. As occupied units are more likely to be regularly maintained, this trend reinforces the data on housing rehabilitation activity and suggests that housing conditions have improved in Newman in the last decade.

According to the U.S. Census Bureau, the median year in which Newman's housing stock was constructed was 1983. A decade ago, the median year built for Newman's housing was 1969. Figure II-3 summarizes information on the age of Newman's housing stock.

Figure II-3
Year Structure Built by Tenure
City of Newman
2000

Median Year Built = 1983



HOUSING TENURE

Newman has a high percentage of homeownership. Approximately 28 percent (595 units) of Newman's housing units were occupied by renters in 2000. This is down from approximately 33 percent in 1990 and is significantly less than Stanislaus County's 2000 housing stock as a whole, 38 percent of which is occupied by renters. Table II-7 shows tenure by housing type for Newman.

**Table II-7
Housing Tenure by Type
City of Newman
2000**

Type of Unit	Total Occupied Units	Owner Occupied	Renter Occupied	Percent Renter Occupied
SFD Detached	1,757	1,409	348	19.8%
SFD Attached	77	55	22	28.6%
2	40	0	40	100.0%
3 or 4	81	13	68	84.0%
5	44	0	44	100.0%
10 to 19	21	0	21	100.0%
20 to 49	24	0	24	100.0%
50 plus	20	0	20	100.0%
Mobile Home/Other	26	18	8	30.8%
Total	2,090	1,495	595	28.5%

Source: Census 2000; Coastplans.com

VACANCY RATES

Newman's vacancy rate has fallen dramatically in the last decade from an unhealthy 11.56 percent to a healthy 4.45 percent. A community's vacancy rate provides a quantified measure of the health of the local housing market. A high vacancy rate indicates an overabundance of housing stock, which is often in need of rehabilitation; a low vacancy rate indicates a tight housing market with few choices and high rents. As a rule of thumb, a vacancy rate of 4.5 to 5.0 percent indicates a market reasonably well balanced between supply and demand. Newman's vacancy rate is higher than other Stanislaus County jurisdictions, except Waterford and unincorporated county. Table II-8 shows vacancy rates for Stanislaus County jurisdictions from 1990 through 2003.

Table II-8
Comparative Vacancy Rates
Stanislaus County Cities
 1990 to 2003

	1990	1995	2000	2001	2002	2003
Ceres	5.44	5.43	3.14	3.13	3.13	3.13
Hughson	5.33	5.33	2.32	2.34	2.36	2.37
Modesto	4.80	4.80	3.30	3.30	3.30	3.30
Newman	11.56	11.54	4.46	4.47	4.47	4.45
Oakdale	4.01	4.00	3.36	3.36	3.35	3.35
Patterson	5.07	5.07	3.56	3.55	3.56	3.57
Riverbank	3.95	3.96	3.28	3.28	3.27	3.26
Turlock	4.62	4.61	3.60	3.60	3.59	3.59
Waterford	3.02	3.04	4.33	4.35	4.33	4.34
Unincorporated	5.59	5.59	5.03	5.03	5.03	5.03
Incorporated	4.86	4.86	3.38	3.38	3.37	3.38
County Total	5.04	5.03	3.75	3.75	3.75	3.74

Source: California Department of Finance, Table E5 and E5a

LACK OF OVERCROWDING

Newman does not suffer from overcrowding. An overcrowded dwelling unit is defined as one in which more than 1.01 persons per room resides (excluding kitchen and bath). According to U.S. Census Bureau, approximately 18 percent of all dwelling units in Newman were overcrowded in 2000. This is only slightly more than the rate of overcrowding in Stanislaus County and California as a whole. This finding is consistent with the healthy vacancy rates discussed above and the relatively normal persons per household rate (3.448 persons per household) shown in Table II-1. Table II-9 summarizes data on overcrowding in 2000.

Table II-9
Overcrowding
Newman, Stanislaus County and California
2000

	Total Occupied Units	Overcrowded (Owner Occupied)	Overcrowded (Renter Occupied)	Total Overcrowded	Percent of Total
Newman	2,090	237	137	374	17.89%
Stanislaus County	145,146	8,202	11,918	20,120	13.86%
California	11,502,870	562,016	1,186,336	1,748,352	15.20%

Source: U.S. Census Bureau; Coastplans.com

Employment and Income

UNEMPLOYMENT

Like many communities located in agricultural areas, Newman suffers from a high unemployment rate. According to the California Economic Development Department (EDD), Newman's unemployment rate was slightly less than Stanislaus County as a whole but considerably higher than California's in 2002 (11.4 percent and 6.7 percent, respectively). Table II-10 shows employment statistics for Stanislaus County jurisdictions in 2002.

Table II-10
Annual Average Employment and Unemployment
Stanislaus County Jurisdictions
2002

Area Name	Labor Force	Employment	Unemployment	
			Number	Rate
Stanislaus County	216,600	191,800	24,800	11.4%
Ceres	15,150	13,410	1,740	11.5%
Denair (CDP)	2,160	2,020	140	6.6%
Hughson	1,940	1,660	280	14.5%
Keyes (CDP)	1,580	1,240	340	21.5%
Modesto	98,560	88,490	10,070	10.2%
Newman	2,130	1,890	240	11.3%
Oakdale	6,950	6,130	820	11.9%
Patterson	4,860	4,180	680	14.0%
Riverbank	4,870	3,990	880	18.1%
Salida (CDP)	2,740	2,350	390	14.1%
Turlock	25,180	22,650	2,530	10.1%
Waterford	2,420	2,030	390	16.1%

Source: California Economic Development Department

HUD INCOME LIMITS AND NEWMAN'S MEDIAN FAMILY INCOME

Each year the California Department of Housing and Community Development (HCD) publishes income limits (based on data from U.S. Department of Housing and Urban Development) to be used in conjunction with state and federal housing programs. State housing law requires housing developers to use these income limits when defining income for various housing programs (*Health and Safety Code § 50079.5*). The median family income for a family of four in Stanislaus County was \$48,000 in 2003. Table II-11 shows HCD income limits for Stanislaus County in 2003.

Table II-11
2003 Income Limits
Stanislaus County

Median Family Income = \$48,000

	1 Person	2 Person	3 Person	4 Person	5 Person
Very Low Income (up to 50% of median)	\$16,800	\$19,200	\$21,600	\$24,000	\$25,900
Lower Income (50% to 80% of median)	26,900	30,700	34,550	38,400	41,450
Median (80% to 100% of median)	33,600	38,400	43,200	48,000	51,850
Moderate (100% to 120% of median)	\$40,300	\$46,100	\$51,850	\$57,600	\$62,200

Source: Department of Housing and Community Development

Newman's median family income is comparable to that of Stanislaus County, so the price established by HCD for a dwelling unit affordable to any particular income group (say very low income families) should generally be affordable for families in Newman. According to the U.S. Census Bureau, the median family income in Newman in 2000 was \$44,703 (with 3.38 persons per household on average). Table II-12 provides data in family income in Newman and Stanislaus County.

Table II-12
Distribution of Family Income
2000

Median Family Income (Newman only) = \$44,703

Income Category	Newman		Stanislaus County	
	No. Families	Percent	No. Families	Percent
Less than \$10,000	41	2.5%	7,264	6.6%
\$10,000 to \$14,999	114	6.9%	6,291	5.7%
\$15,000 to \$24,999	320	19.2%	14,181	12.9%
\$25,000 to \$34,999	193	11.6%	14,208	12.9%
\$35,000 to \$49,999	351	21.1%	19,725	17.9%
\$50,000 to \$74,999	386	23.2%	24,682	22.4%
\$75,000 to \$99,999	151	9.1%	12,425	11.3%
\$100,000 to \$149,999	66	4.0%	7,779	7.1%
\$150,000 to \$199,999	10	0.6%	1,633	1.5%
\$200,000 or more	31	1.9%	2,061	1.9%
Total	1,663	100.0%	110,249	100.0%

Source: U.S. Census Bureau; Coastplans.com

Affordability, Housing Costs, and Overpayment

RENTAL AFFORDABILITY AND COSTS

Rental housing in Newman is generally affordable. According to classified advertisements in the West Side Index, Newman's weekly newspaper, rents for three-bedroom, two-bath units ranged from \$775 to \$1,200 per month between January and June 2003. Smaller two-bedroom units ranged from \$550 to \$800 per month. According to the U.S. Census Bureau, median gross rent in Newman was \$518 per month. The family earning the County median family income of \$48,000 and spending 30 percent of its income on housing can afford approximately \$1,200 in monthly rent. Table II-13 shows rental affordability for all income groups in Newman.

Table II-13
Rental Affordability
Stanislaus County

Newman's Median Gross Rent (2000) = \$518

	Number of Families ¹	Percent	HCD Annual Income Limit ²	Affordable Monthly Rent ³
Very Low Income (Up to 50%)	443	26.60%	\$24,000	\$600
Low Income (50% to 80%)	305	18.30%	38,400	\$960
Median (80% to 100%)	225	13.50%	48,000	\$1,200
Moderate (100% to 120%)	164	9.90%	\$57,600	\$1,440
Above Moderate (120% plus)	526	31.60%	\$57,600+	\$1,440+

Notes: ¹This distribution is based on U.S. Census Bureau data. Where necessary, census income categories were split proportionately based on calculated annual income, minus the lower category limit, divided by the difference between the lower and upper category limits.

²Income limit for a four-person family as defined by HCD in 2003

³Assumes 30 percent of monthly income

Sources: U.S. Census Bureau; California Department of Housing and Community Development; Coastplans.com

OWNERSHIP AFFORDABILITY AND COSTS

For-sale housing in Newman is generally affordable. According to classified advertisements in the West Side Index, sales price for a three bedroom house ranges from \$175,000 to \$235,000 between January and June 2003. A new house in one of Newman's developing subdivisions ranges from an entry level of \$220,000 to an upscale \$300,000. According to the U.S. Census Bureau, the median asked price in 2000 in Newman was \$126,900. The family earning the County median family income of \$48,000 and spending 30 percent of its income on housing can afford a \$228,000 house. Table II-14 shows ownership affordability for all income groups in Newman.

Table II-14
Ownership Affordability
Stanislaus County

Newman's Median Price Asked (2000) = \$126,900

	No. of Families ¹	Percent	HCD Annual Income Limit ²	Mortgage ³	Monthly Payment	Price of Affordable House ⁴
Very Low Income (Up to 50%)	443	26.6%	\$24,000	\$102,816	\$600	\$114,240
Lower Income (50% to 80%)	305	18.3%	38,400	\$164,505	\$960	\$182,784
Median (80% to 100%)	225	13.5%	48,000	\$205,632	\$1,200	\$228,480
Moderate (100% to 120%)	164	9.9%	\$57,600	\$246,758	\$1,440	\$274,176
Above Moderate (120% plus)	526	31.6%	\$57,600+	\$246,758+	\$1,440+	\$274,176+

Notes: ¹This distribution is based on U.S. Census Bureau data. Where necessary, census income categories were split proportionately based on calculated annual income, minus the lower category limit, divided by the difference between the lower and upper category limits.

²Income limit for a four-person family as defined by HCD in 2003

³Assumes 30 percent of income for house expense, 5.75 percent interest rate, 30-year fixed-rate mortgage

⁴Assumes a 10 percent down payment

Sources: U.S. Census Bureau; California Department of Housing and Community Development; Coastplans.com

The 1992 Housing Element reported that housing prices ranged from \$95,000 to \$110,000, with new houses ranging from \$130,000 to \$190,000. Housing prices in 2003 represent an approximately 62 percent increase over the last 10 years. The prevailing opinion of housing advocates in the area is that housing prices in Newman have been adversely affected by Bay Area buyers bidding up the price of housing during the last decade.

OVERPAYMENT FOR HOUSING

There is a lower incidence of overpayment for housing in Newman than in Stanislaus County as a whole. As a rule of thumb, housing is considered affordable if less than 30 percent of household income is spent on rent or mortgage. According to the U.S. Census Bureau, approximately 55 percent of Newman's lower-income owner households and 50 percent of lower-income renter households paid more than 30 percent of their income in 2000. This compares to Stanislaus County as a whole with 56 percent lower-income owner households and 61 percent of lower-income renter households, overpaying for housing. Table II-15 compares overpayment for housing between Newman and Stanislaus County.

Table II-15
Overpayment for Housing
Low-Income Households Paying More Than 30% of Income on Housing
Stanislaus County and Newman

	Lower-Income Households		Lower-Income Households Overpaying			
	Owners	Renters	Owners	Renters	Percent Owners	Percent Renters
Newman	615	379	340	189	55.3%	49.9%
Stanislaus County	25,164	36,622	14,021	22,425	55.7%	61.2%

Sources: U.S. Census Bureau; California Department of Housing and Community Development; Coastplans.com

Housing Needs

This section describes Newman's housing needs, with comparisons to surrounding cities and Stanislaus County. The information in this section comes primarily from StanCOG, the California Department of Housing and Community Development, the California Department of Finance, the U.S. Census Bureau, the Stanislaus County Housing Authority, social service providers, and the City of Newman.

SUMMARY OF DEMOGRAPHIC AND HOUSING RESEARCH

The results of demographic and housing research, which are presented in the sections above, paint a picture of a small Central Valley town increasingly influenced by the Bay Area economy.

- ✓ Newman is experiencing a relatively high rate of growth. Since the last Housing Element Update adopted in 1998, Newman's population grew at an annual average rate of growth of 5.8 percent, adding 1,914 persons.
- ✓ While much of this new population was attracted by the availability of new housing, Newman also grew by filling much of its vacant housing stock and by adding more large families.
- ✓ Almost a third of Newman's residents moved to the city since 1995.
- ✓ Many Newman residents are traveling longer distances to get to work. Approximately half of Newman's workforce was traveling more than 15 minutes to work in 1990; this percentage increased to approximately 70 percent in 2000.
- ✓ Newman is experiencing the out-migration of an increasingly broad segment of its young people. When analyzing changes in Newman's age structure between 1990 and 2000, there is a noticeable reduction in population in the age cohorts of 25 to 29 and 30 to 34.
- ✓ Newman is a traditional family city. Approximately 63 percent of all households in Newman are headed by a married couple compared to 57 percent for Stanislaus County as a whole. Newman also has a lower percentage of single-parent households and persons living alone than Stanislaus County as a whole.
- ✓ Newman's housing stock is predominantly single family, with less than 14 percent of all housing stock being multi-family.
- ✓ Newman has developed proportionately fewer of the more affordable forms of attached single family housing, such as the halfplex and other types of zero-lot-line development, than neighboring cities.

- ✓ Newman's housing stock is relatively new and in good condition. In 2000, the median year in which Newman's housing stock was constructed was 1983, compared to a decade ago when the median year built for Newman's housing was 1969.
- ✓ Newman has an increasing percentage of homeownership. Approximately 28 percent (595 units) of Newman's housing units were occupied by renters in 2000. This is down from approximately 33 percent in 1990 and is significantly less than Stanislaus County's 2000 housing stock as a whole, 38 percent of which is occupied by renters.
- ✓ Newman's vacancy rate has fallen dramatically in the last decade from an unhealthy 11.56 percent to a healthy 4.45 percent.
- ✓ Like many communities located in agricultural areas, Newman suffers from a high unemployment rate. Newman's unemployment rate was slightly less than Stanislaus County as a whole but considerably higher than California's in 2002 (11.4 percent and 6.7 percent, respectively).
- ✓ Newman's median family income is comparable to that of Stanislaus County, so the price for an affordable dwelling unit suggested by HUD income limits should generally be affordable for families in Newman.
- ✓ Rental housing in Newman is generally affordable. Rents for three-bedroom, two-bath units ranged from \$775 to \$1,200 per month between January and June 2003. Smaller two-bedroom units ranged from \$550 to \$800 per month. The median income family can afford approximately \$1,200 in monthly rent.
- ✓ For-sale housing in Newman is generally affordable. The sales price for a three bedroom house ranged from \$175,000 to \$235,000 between January and June 2003. A new house ranged from an entry level of \$220,000 to an upscale \$300,000. The median income family can afford a \$228,000 house.
- ✓ Housing prices in 2003 represent a 62 percent increase over prices 10 years ago. The prevailing opinion of housing advocates in the area is that housing prices in Newman have been adversely affected by Bay Area buyers bidding up the price of housing.
- ✓ There is a lower incidence of overpayment for housing in Newman than in Stanislaus County as a whole.

NEWMAN'S SHARE OF REGIONAL HOUSING NEEDS

Newman's share of regional housing needs originates with the California Department of Housing and Community Development (HCD). HCD first estimates a statewide need for housing, which is broken down into regions, each of which then has an assigned share of estimated housing needs. The Stanislaus County Council of Governments (StanCOG) is the local agency mandated by California Government Code §65554(a) to distribute the "Fair Share Allocation" of the regional housing need to each jurisdiction in Stanislaus County. The "Fair Share Allocation" of housing is a specific number of residential units, in different price ranges, assigned to each local jurisdiction including Newman.

Typically, the council of governments (COG) and HCD agree upon aggregate housing allocation to be provided in a COG area (in this case Stanislaus County). Then, the COG disaggregates the countywide housing allocation into shares for each of jurisdiction in the COG area. In the case of the 2002 StanCOG Fair Share Allocation process, StanCOG and HCD were unable to agree upon an aggregate housing allocation for Stanislaus County jurisdictions. As a result, StanCOG published a Fair Share Allocation that does not have the approval of HCD. In early 2003, StanCOG published a table showing what the allocation would have been if StanCOG had adopted HCD aggregate housing numbers.

Because this allocation applies to the period starting on January 1, 2001, dwelling units built in Newman since that time must be deducted from the total to determine the number of units needed for the balance of the planning period. Table II-16 shows both the official StanCOG allocation and the alternate unofficial allocation based on HCD numbers and the number of units built since January 1, 2001.

Table II-16
Newman's Housing Needs Allocation
StanCOG and HCD
2001-2008

	Total Units	Very Low Income	Low Income	Moderate Income	Above Moderate Income
Percent	100.0%	22.0%	17.0%	20.9%	40.0%
HCD	904	199	154	189	362
StanCOG	535	118	91	112	214
Units Built Since Jan 2001	241	2	26	0	213
Remaining Need (HCD)	663	197	128	189	149
Remaining Need (StanCOG)	294	116	65	112	1

Source: Stanislaus County Council of Governments; California Department of Housing and Community Development; Coastplans.com

SPECIAL HOUSING NEEDS

An assessment of the housing needs of individuals that may have special needs within the community is a required part of a Housing Element as mandated by State HCD. Special Need individuals are defined in the following categories:

- ✓ Elderly persons over 65 years of age,
- ✓ Persons with disabilities,
- ✓ Families with female heads of households,
- ✓ Large families,
- ✓ Families or persons in need of emergency shelter or transitional housing; and
- ✓ Farmworkers.

Based on US Census Bureau 2000 data, the total number of persons in Newman within each of the Special Needs categories is shown in Table II-17.

Table II-17
Summary of Special Needs Housing
 2000

Special Needs Category	Number
Households with Elderly (65+ years) Living Alone	151
Households with Elderly (65+ years) Living with Someone	275
Persons Living in Institutional Care (Nursing Home)	66
Large Households (6+ persons) Living in Owner-Occupied Unit	210
Large Households (6+ persons) Living in Renter-Occupied Unit	36
Female Householder (no husband present)	242
Male Householder (no wife present)	110
Families Living Below Poverty Level	166
Persons Visibly Living in Street Locations	4 to 6
Disabled Persons (mobility or self-care limitation)	1,160
Persons in Agriculture, Forestry, Fishing/Hunting, Mining Industries	333

Source: U.S. Census Bureau

Disabled Persons

The term "disabled" refers to a disability (physical, mental, or sensory) which prevents or precludes a person from doing work either in or outside of the home. The number of disabled persons in a community has important implications for providing certain social services, in the removal of barriers to facilities, and in developing housing which has specialized access for disabled residents.

According to the 2000 Census, 733 of Newman's residents aged 16 to 64 had work disabilities. This represented 11.5 percent of the work force. A person with a work disability may have a health condition which limits the kind or amount of work which he or she can do or which prevents working at a job or business altogether. A work disability may also be defined as a health condition which limits the choice of jobs. Table II-18 shows work disability information for Newman, Stanislaus County, and California according to the 2000 Census.

Table II-18
Work Disability Status Ages 16 to 64
Newman, Stanislaus County and California
2000

	Newman		Stanislaus County		California	
	No.	Percent	No.	Percent	No.	Percent
5 to 15 years:	1,638	25.8%	89,270	21.9%	5,813,105	18.8%
With a disability	75	1.2%	5,138	1.3%	277,503	0.9%
No disability	1,563	24.6%	84,132	20.6%	5,535,602	17.9%
16 to 64 years:	4,122	64.8%	274,326	67.2%	21,570,148	69.9%
With a disability:	733	11.5%	61,605	15.1%	4,180,265	13.5%
Employed	258	4.1%	28,814	7.1%	2,250,371	7.3%
Not employed	475	7.5%	32,791	8.0%	1,929,894	6.3%
No disability:	3,389	53.3%	212,721	52.1%	17,389,883	56.4%
Employed	1,990	31.3%	140,625	34.4%	12,020,189	39.0%
Not employed	1,399	22.0%	72,096	17.7%	5,369,694	17.4%
65 years and over:	599	9.4%	44,639	10.9%	3,469,810	11.2%
With a disability	352	5.5%	20,948	5.1%	1,465,593	4.8%
No disability	247	3.9%	23,691	5.8%	2,004,217	6.5%
Total	6,359		408,235		30,853,063	

Source: U.S. Bureau of the Census, 2000

The Census also identified those residents with mobility and self-care limitation disabilities. As Table II-19 indicates, 20.1 percent of Newman's residents aged 16 and over (476 persons) had a go-outside-home disability in 2000.

Table II-19
Disability Type by Age Group
Newman, Stanislaus County, and California
2000

	Newman		Stanislaus County		California	
	No.	Percent	No.	Percent	No.	Percent
Total disabilities	2,360	100.0%	159,757	100.0%	10,592,411	100.0%
Total disabilities 5 to 16 years	93	3.9%	6,647	4.2%	373,407	3.5%
Sensory disability	20	0.8%	963	0.6%	51,855	0.5%
Physical disability	7	0.3%	890	0.6%	54,991	0.5%
Mental disability	48	2.0%	4,065	2.5%	205,676	1.9%
Self-care disability	18	0.8%	729	0.5%	60,885	0.6%
Total disabilities 16 to 64 years	1,454	61.6%	111,007	69.5%	7,241,881	68.4%
Sensory disability	93	3.9%	7,488	4.7%	430,965	4.1%
Physical disability	282	11.9%	22,267	13.9%	1,183,313	11.2%
Mental disability	202	8.6%	14,264	8.9%	777,304	7.3%
Self-care disability	108	4.6%	6,109	3.8%	361,699	3.4%
Go-outside-home disability	298	12.6%	22,472	14.1%	1,718,472	16.2%
Employment disability	471	20.0%	38,407	24.0%	2,770,128	26.2%
Total disabilities 65 years and over	813	34.4%	42,103	26.4%	2,977,123	28.1%
Sensory disability	169	7.2%	7,009	4.4%	501,450	4.7%
Physical disability	226	9.6%	13,970	8.7%	985,115	9.3%
Mental disability	135	5.7%	5,858	3.7%	423,518	4.0%
Self-care disability	105	4.4%	5,013	3.1%	345,113	3.3%
Go-outside-home disability	178	7.5%	10,253	6.4%	721,927	6.8%

Source: U.S. Bureau of the Census, 2000

Special needs of disabled persons vary depending upon the particular disability of the person. For example, the needs of a blind person differ greatly from those of persons confined to wheelchairs. Special facilities such as ramps, elevators, or specially designed restrooms necessary for wheelchair access are architectural features needed to make dwellings suitable for wheelchairs. Special features needed by ambulatory persons constrained by other disabilities may not be architectural. Instead, these might be simple alterations to conventional dwelling units for furnishing and appliances which make ordinary tasks

of housekeeping and home life simpler. In families, the needs of the disabled person, in terms of special features, are fewer than those of a single person. Nevertheless, a disabled person in a family does have special needs. Special architectural features could be valuable in giving this person a greater independence, dignity, and quality of life.

Elderly

The percentage of senior citizens in Newman fell between 1990 and 2000, so that while Newman had a slightly higher percentage of senior citizens in 1990 than Stanislaus County or California as a whole, it now has a significantly lower percentage. The 2000 Census indicated that 11.6 percent of the city's population was 60 years and older, the 1990 Census indicated the percentage was 14.7 percent. These percentages are now lower than for Stanislaus County, where 13.7 percent of the population (14.4 percent in 1990) was over 60. They are also lower than statewide, where 14.0 percent of the population (14.2 percent in 1990) was at least 60.

While older residents are still drawn to Newman because of the city's overall low cost of living, the stability of the area, and its warm year-round climate, an influx of younger newcomers has lowered the overall percentage of senior citizens in the community. Nonetheless, many of the senior citizens that live in Newman have mobility limitations which restrict their access to other services, such as public transportation, shopping facilities, and senior citizens. Although the West Side Dial-a-Ride will arrange door-to-door pickup, the service provides only limited service to Modesto. Limited shopping facilities in Newman also create difficulties for seniors with transportation difficulties. Gustine, which is just four miles south of Newman, has a medical facility that serves the Newman community.

Large Households

Household size is an important consideration when it comes to planning for housing. Very simply, areas which have large concentrations of small households (i.e., less than five persons) or single-person households need to plan for smaller units, and areas with concentrations of large households (i.e., five persons or more) need to assure that units large enough to accommodate such households are available.

The number of large households in Newman increased between 1990 and 2000, and this influx of large households is weighted toward owner-occupied housing units. The 2000 Census indicated that 24.5 percent of households in Newman were large families, compared with only 20 percent in 1990. Twenty-seven percent of owner-occupied housing (20 percent in 1990) was occupied by large households, and 18 percent of renter-occupied housing (20 percent in 1990) was occupied by large households. The fact that the housing construction industry has favored large houses in recent years and has moved away from constructing multi-family housing in many market areas has probably influenced this trend.

Farmworkers

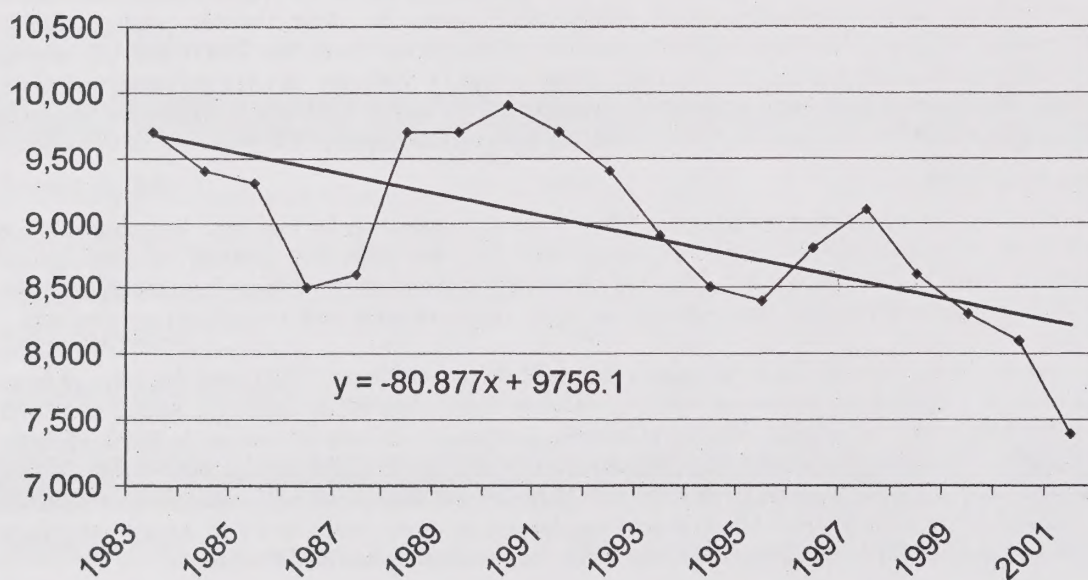
As in the case for most low-income households, housing needs of farm workers far exceeds government's ability to provide assistance. The Farmer's Home Administration (FmHA) is the most important provider of permanent housing for farm workers, but FmHA assistance suffers from its own income qualifying standards and a shortage of staff and funds. The State HCD and Office of Migrant Services also supplies housing assistance for farm workers. Because farm workers are usually low-income and their employment status is often tenuous, they are unable to compete for housing on the open market. The housing that is available is often of substandard condition and located in areas of the community lacking adequate services. In relation to their low incomes, farm workers often overpay for substandard housing and live in crowded conditions.

Throughout Stanislaus County, farm workers are housed predominately in farm labor camps owned and operated by the Stanislaus County Housing Authority and camps privately owned in the unincorporated areas. Housing in these camps consists of both permanent residential buildings and mobile homes.

Within areas in the county, permits are issued with the stipulation that the occupant be employed on a full-time basis in conjunction with the farming operation. Both mobile homes and farm labor camps provide important housing for seasonal or year round workers who may otherwise have a difficult time obtaining housing at an affordable price and within close proximity to their jobs. Within the City of Newman, permanent housing for agricultural workers is a permitted use in all residential zoning districts, and short-term rooming or boarding houses are allowed as a conditional use in the R-2 and R-3 Zoning Districts.

While in the past there was evidence that housing shortages existed during peak seasonal labor periods, StanCOG reports a general trend toward a decreasing number of farm laborers in the county. Figure II-4 shows farm labor trends in Stanislaus County between 1983 and 2001.

Figure II-4
Farm Labor
Stanislaus County
1983 to 2001



Source: StanCOG, 2003

The Stanislaus County Housing Authority maintains an inventory of farm labor and migrant housing, and this inventory is summarized in Table II-20 below.

Table II-20
Farm Labor and Migrant Housing
Stanislaus County Housing Authority Inventory
2003

Location of Farm Labor Housing	Number of Units	Percent of Units
Westley – FmHA Units	85	22.61%
Westley – Mobile Homes/Trailers	20	5.32%
Ceres	104	27.66%
Modesto	91	24.20%
Patterson	76	20.21%
Total	376	100.00%

Source: Stanislaus County Housing Authority

Families Headed by Single Females

The incidence of families headed by single females with children under the age of 18 fell between 1990 and 2000 and is below that of Stanislaus County as a whole. The 2000 Census indicated that 7.9 percent of Newman's families were headed by single females with children under 18, compared to 11.0 percent in 1990. The California Department of Housing and Community Development identifies the following distinguishing characteristics for female householder families:

- ✓ Low homeownership rate
- ✓ Younger householder
- ✓ Children present
- ✓ Low incomes and a high poverty rate
- ✓ Overcrowded
- ✓ High percentage of household income spent for housing

The incidence of poverty in families headed by single females with children under 18 also fell between 1990 and 2000. The 2000 Census indicated that 25.3 percent of female-headed households with children were below poverty, compared to 50.0 percent in 1990. Countywide, 8.4 percent of households were headed by single female parents (10.8 percent in 1990), and 38.6 percent of these households were below poverty (37.4 percent in 1990).

Persons Needing Emergency Shelter and Transitional Housing

Throughout California, homelessness has become a major concern. Factors contributing to the increase in homeless persons and families, and those in need of transitional housing, include:

- ✓ The lack of housing affordable to very-low- and low-income persons
- ✓ Increases in unemployment or underemployment
- ✓ Reductions in government subsidies
- ✓ Deinstitutionalization of the mentally ill

- ✓ Domestic violence
- ✓ Drug addiction
- ✓ Dysfunctional families

According to Chief Brady, at the Newman Police Department, there are from four to six homeless persons currently living in Newman. Some of these persons work on a part-time basis, and most have drug or alcohol problems but are generally not visible on the street. The Police Department receives a few complaint calls periodically but the problem is minor. The City of Newman posts notices (in English and Spanish) in city hall of shelter services offered by Community Housing and Shelter Services on the first and third Wednesdays in nearby Patterson at the Westside Resource Center.

Agencies Offering Emergency Housing Assistance

Salvation Army, Social Services Program: Under this program, energy bill assistance, as well as housing information and referral are provided to low-income families. In conjunction with the Salvation Army, the Newman Police Department offers limited emergency assistance to very-low to low income residents.

Stanislaus County Housing Authority: The Stanislaus County Housing Authority is located at 1701 Robertson Road, Modesto. The Housing Authority develops and operates subsidized housing facilities in Stanislaus County (with the exception of Riverbank, which has its own Housing Authority), for very low and low-income families, including the elderly, handicapped and disabled families. The Authority also operates housing rehabilitation programs and offers counseling for rent delinquency and mortgage delinquency at no charge, under license from the U.S. Department of Housing and Urban Development.

Emergency and Transitional Shelter Needs: The housing needs of those seeking emergency shelter and/or transitional shelter have dramatically increased in the last ten years. The fastest growing population in need of shelter is families with children. The reason for this increase can be partially attributed to rising unemployment and the decline in affordable housing. A large percentage of mentally ill persons are homeless, due to the relaxing of guidelines for state mental health care institutions. Others in need are homeless persons with drug and alcohol problems, battered women and children, teenage runaways, and evicted tenants.

Agencies Providing Emergency Shelter

The following programs offer cash or vouchers to homeless individuals and families for securing temporary shelter:

Community Housing and Shelter Services: Since 1981, the Community Housing and Shelter Services (CHSS) has provided services for those seeking shelter. CHSS provides temporary shelter to those with immediate need. CHSS assists families with dependent children and mentally ill homeless. Stay is temporary, in motels or shelters, until more permanent shelter can be found. CHSS contracts with the Stanislaus County Department of Social Services to find temporary shelter for AFDC Homeless Assistance Program. CHSS receives block grant funding to find shelter for the Mentally Ill Homeless Program. The Program is administered by the Stanislaus County Mental Health Department. The Program provides shelter for stays of three to seven days, based on need and then many individuals are placed in board and care facilities.

The Modesto Men's Gospel Mission and Women's Mission: The Men's Gospel Mission, located at 1400 Yosemite Street, is Stanislaus County's primary emergency shelter. The Women's Mission,

also located at 1400 Yosemite Boulevard, provides temporary shelter to house single women and women with children for a maximum stay of fourteen days. Over 15,000 meals are served each month, and more than 2,500 men, women, boys and girls are given shelter each year.

In 1997 the Mission completed a \$3 million expansion campaign that brought churches, civic organizations, businesses, foundations and individuals together to address a problem facing communities across America. The new facilities are at 1400 Yosemite Blvd, in one of Stanislaus County's most disadvantaged neighborhoods. A father and children's shelter opened in 2000, and a medical clinic in 2001.

Both Missions require that those seeking shelter participate in religious activities, (this requirement also exempts the Missions from receiving any Federal or State funding assistance.) Thus, the missions must rely strictly on donations from local churches and the community. In addition to the basic needs of food, clothing and shelter, the Mission offers New Life Programs, Education and Employment Programs, Children's Safe Zone, Medical and Dental Programs, Addiction Recovery, Resource Counseling and Referral, Spiritual Counseling, and a hand of love to everyone who comes for help.

Hutton House: The Hutton House, which is located at 201 Jennie Street, Modesto, provides temporary shelter for up to six teenagers that may be involved in a family crisis or a conflict situation. Hutton House also provides individual, family and group counseling to its clients. The facility is currently (June 2003) being upgraded to serve a total of eight kids. According to Bonnie Romero, counselor at Hutton House, the facility serves between 20 and 30 kids each month, with a maximum stay of 14 days. Hutton House served three or four kids from the Gustine/Newman area last year.

Agencies Providing Transitional Housing

The Stanislaus County Affordable Housing Corporation (STANCO): STANCO has 40 homes within Stanislaus County utilized for families and individuals with special needs. These include eleven family houses, one house for four unrelated mentally ill homeless adults, one house for two battered women households and their children, and one house for unrelated persons with HIV/AIDS. STANCO is responsible for the program and property management and case management to these families and individuals.

Agencies Providing Shelter and/or Services and/or Meals

The Salvation Army: The Salvation Army, located at 625 1 Street, Modesto, serves lunches to about 200 to 220 people per day. Currently, the Salvation Army is seeing an increase of people needing food and clothing. According to the commanding officer for the Modesto Corps, the recent economic downturn, coupled with high unemployment rates and higher energy bills, has increased demand Salvation Army services.

Adult Protective Services: This is a function of the County's Welfare Department and they provide information and act as a referral agency for those in need of help for emergency housing, money, food, mental problems and alcoholism. Their primary function is to assess a person's immediate problems and link that person with the appropriate agency for further help.

Mentally Ill Homeless: The Sunshine Place administered by the Stanislaus County Department of Social Services is a drop-in center that provides recreation and socialization for the mentally ill homeless. This center is open five days a week and provides an adult outreach team to work with

the mentally ill homeless population. The Sunshine Place is also open two days a week to the general adult homeless population. On the average day, 240 people visit the Sunshine Place. The Department of Social Services also contracts with the Community Housing and Shelter Services to provide emergency shelter and transportation. As noted above, the STANCO also provides one transitional house to four unrelated adult mentally ill homeless.

Homeless Veterans: In 1996, after a large turnout of homeless veterans in Stanislaus County for the annual Stand Down program; a planning group supported the expansion of the Central Valley Homeless Veteran's program, under the direction of Marvis Hood, Executive Director, to provide transitional housing for homeless veterans. The Central Valley Homeless Veterans, Inc. provides the only annual Stand Down program where homeless veterans within Stanislaus County receive medical, dental, mental health, clothing, nutrition, hygiene, employment, non felonious criminal justice issues assistance and housing placement services on site during the three day "Stand Down".

The Stanislaus County Department of Aging and Veteran's Services: The Mental Health Adult Outreach Team and the Homeless Health Project Outreach Worker refer homeless veterans to the shelter providers and services available within the County. Stanislaus Department of Veterans Services also provides Benefit Counseling and the Medi/Van Program to transport veterans and their families to medical appointments, VA Hospitals, and other hospitals in the Bay Area.

Local Assistance to Homeless Persons

Healthy Start Family Resource Center: The Healthy Start Family Resource Center, which is located at 1300 Patchett Drive, in Newman, provides clothing, food referrals, referrals for social service agencies, immunization clinics, and other family services. Healthy Start acts as an extension service for the Salvation Army, whose main office is located in Modesto.

Newman Police Department: The Police Department is allocated funds through the Salvation Army to assist indigent and homeless persons. Typically, these funds are used to pay for food or gas for persons who become stranded in the Newman area. Local churches also provide clothing and assistance if needed. The Police Department will also arrange transportation for homeless persons to shelters in Modesto, where the Stanislaus County Housing Authority provides temporary shelter (overnight). Motels in western Stanislaus County that offer weekly and monthly rates also serve as a source of transitional housing.

Availability Of Services and Land

This section evaluates the availability of public services and facilities and the potential for residential development in Newman.

PUBLIC SERVICES

The City of Newman provides water service to areas within the City through a system of municipal wells, water treatment, above-ground storage, and distribution pipes, which provide water to all areas of the city. According to the Community Development Director, the City has water capacity for all areas within the existing city limits and within the LAFCO Sphere of Influence and continues to develop wells in advance of demand.

The City of Newman also maintains a sanitary sewer system that includes a sewer treatment plant and collection system. The City of Newman is currently permitted to treat up to 1.69 MGD, which is sufficient

to serve a population of approximately 11,500 residents. This is more than sufficient to provide sewer service to 687 new housing units, which is Newman's adjusted fair share housing goal. The City is one year into a sewer expansion study that will increase sewer treatment capacity to 2.5 to 3.0 MGD over the next 20 years, serving up to 20,000 persons. With this increased sewer capacity, the City of Newman can accommodate housing development on all of the City's vacant and underutilized residential sites as shown in Table II-21 below.

With the exception of three large subdivisions located at the edge of town (Hearthstone Ranch, Sherman Ranch, and Stephens Ranch), all sites within the current city limits have immediate access to sewer and water services. In the case of the three large subdivisions, sewer and water services are stubbed out at the edge of the project area. Extension of services into the subdivisions, which will be funded by developers, will be timed to keep pace with buildout in these areas.

VACANT AND UNDERUTILIZED RESIDENTIAL SITES

According to a survey completed by Coastplans.com in August 2002, Newman has approximately 392 acres of vacant and underutilized land currently zoned for residential use which can accommodate approximately 1,889 units at currently allowed densities. Development potential for sites that have a vesting tentative map (designated with a "VM" in the table below) was provided by the City of Newman. The development potential for medium-density and multi-family sites was calculated based on 80 percent of maximum allowable general plan density and first-hand knowledge of the sites obtained by site visits. For multi-family sites, this is equivalent to approximately 16 dwelling units per gross acre (23 units per net acre) and represents a conservative estimate of the development potential of these sites. The Newman Zoning Ordinance allows development up to 20 dwelling units per gross acre (29 units per net acre) without a use permit in the R-3 Zoning District.

The Newman Zoning Ordinance allows emergency shelters, transitional housing, and short-term farmworker housing as conditional uses in the R-3 Zoning District. The ordinance contains no special conditions for these uses but allows the imposition of any of the following conditions to ensure that required findings can be made in favor of the project:

- ✓ Special setbacks, landscape buffers, and/or screening
- ✓ Fences and/or walls
- ✓ Lighting
- ✓ Regulation of hours
- ✓ Regulation of points of ingress and egress
- ✓ Regulation of displays, noise, vibration, and/or odors
- ✓ Provision of public improvements, easements, and/or dedications
- ✓ Any other such conditions as will facilitate the orderly and efficient development in conformity with the intent and purposes set forth in this title and the General Plan.

Newman's vacant residential land inventory includes seven underutilized sites, which have existing housing units that will be demolished or retained. Housing units that are to be demolished include a converted shed and a dilapidated house located on sites targeted for high-density development. For these sites, the Newman Redevelopment Agency will offer relocation assistance as part of any development proposal that involves Redevelopment Agency assistance (see Program III-20). In the case of Lucas Ranch II, two units will probably be demolished to allow for the orderly development of market-rate housing on the 12.8 acre site. Where units are to be retained, development potential has been reduced accordingly.

Of the 392.784 acres, 17.345 acres are designated HDR (High Density Residential) in the Newman General Plan; 42.889 acres are designated MRD (Medium Density Residential), CR (Central Residential),

or D (Downtown); and 332.550 acres are designated LDR (Low Density Residential), CR (Central Residential), NPR (Neighborhood Planned Residential), or PMR (Planned Mixed Residential). In several cases, the existing zoning designation for the site is inconsistent with the site's general plan designation. These sites will be rezoned as part of the implementation of this updated Housing Element (see Program III-2). In addition, three sites have been targeted for re-designation and rezoning to increase the supply of vacant multi-family land (see Program III-1). Table II-21 lists Newman's vacant and underutilized housing sites, and Figure II-5 shows the location of each vacant or underutilized site in Newman.

Table II-21
Vacant and Available Sites
2003

Map No.	APN	Size (Acres)	Zoning	GP	GP Density	Units	Comments ¹
Very Low and Low Income							
1	128-60-10	1.580	R-1 ²	HDR	20	25	Vacant
2	128-22-20	0.735	R-3	HDR	20	11	Vacant
3	26-41-04	2.500	R-1 ²	HDR	20	40	Vacant
4	26-41-58	2.530	R-1 ²	HDR	20	40	Vacant
5	Various	10.000	R-3	HDR	20	160	Vacant; (VM) Sherman Ranch (Part)
Subtotal		17.345				276	
Moderate Income							
6	128-08-21	0.258	R-3 ³	CR	12	2	Vacant
7	128-09-24	0.131	C-1	D	10	1	Vacant
8	128-09-73	0.086	C-1	D	10	1	Vacant
9	128-20-03	0.468	R-1 ⁴	MDR	12	4	One existing occupied SFD (dilapidated); this site will be merged with two neighboring sites, which are owned by same family (Map Nos. 10 and 11); existing unit will be demolished
10	128-20-02	2.010	R-1 ⁴	MDR	12	19	One existing occupied SFD (converted shed); this site will be merged with two neighboring sites, which are owned by same family (Map Nos. 9 and 11); existing unit will be demolished

Map No.	APN	Size (Acres)	Zoning	GP	GP Density	Units	Comments ¹
11	128-20-01	1.525	R-1 ⁴	MDR	12	14	Vacant; this site will be merged with two neighboring sites, which are owned by same family (Map Nos. 9 and 10)
12	128-50-16	0.345	R-1 ³	MDR	12	3	Vacant
13	128-50-17	0.272	R-1 ³	MDR	12	2	Vacant
14	128-50-18	0.544	R-1 ³	MDR	12	5	Vacant
15	128-60-11	0.880	R-1 ³	MDR	12	8	Vacant
16	128-60-12	2.697	R-1 ⁵	D	10	21	One existing occupied SFD; development potential reduced by two units
17	128-60-21	0.870	R-1 ³	MDR	12	8	Vacant; owned by the Newman Redevelopment Agency
18	Voided						
19	26-16-11	13.873		MDR	12	133	Vacant
20	26-41-46	9.000	R-1 ³	MDR	12	86	Vacant
21	Voided						
22	49-50-44	1.930	R-1 ³	MDR	12	18	Vacant
23	Various	8.000		MDR	12	76	Vacant; (VM) Sherman Ranch (Part)
Subtotal		42.889				401	
Market Rate Units							
24	128-02-20	4.570	R-1	CR	5	21	One existing occupied SFD to be retained; development potential reduced by one unit
25	128-03-31	0.258	R-1	CR	5	1	Vacant
26	128-03-33	0.234	R-1	CR	5	1	Vacant
27	128-06-47	0.172	R-1	CR	5	1	Vacant
28	128-13-17	0.185	R-1	CR	5	1	Vacant
29	128-13-18	0.185	R-1	CR	5	1	Vacant
30	128-13-19	0.167	R-1	CR	5	1	Vacant
31	26-40-07	4.000	R-1	LDR	5	20	Vacant
32	26-43-03	2.750		LDR	5	13	Existing barn (dilapidated); barn will be demolished to facilitate development of site

Map No.	APN	Size (Acres)	Zoning	GP	GP Density	Units	Comments ¹
33	26-46-01	1.000	R-1	LDR	5	4	One existing occupied SFD; development potential reduced by one unit
34	26-56-56	0.239	R-1	LDR	5	1	Vacant
35	26-56-58	4.970	R-1	LDR	5	24	Vacant
36	26-59-70	2.020		LDR	5	10	Vacant
37	49-42-01	12.800		LDR		104	Two existing older SFDs; both units will be demolished to facilitate development of the site; (VM) Lucas Ranch II (part)
38	Various	28.000		NPR		113	Vacant; (VM) Stephens Ranch I
39	Various	30.000		LDR		117	Vacant; (VM) Stephens Ranch II
40	Various	20.000		LDR		68	Vacant; (VM) Walnut Creek Estates
41	Various	106.000		NPR		337	Vacant; (VM) Sherman Ranch
42	Various	115.000		PMR		374	Vacant; (VM) Hearthstone Ranch
Subtotal		332.550				1,212	
Total All Unit Types		392.784				1,889	

Note: ¹VM means "Vesting Tentative Map"

²This site will be rezoned to R-3 to achieve consistency with the General Plan

³This site will be rezoned to R-2 to achieve consistency with the General Plan

⁴This site will be redesignated to HDR and rezoned to R-3

⁵This site will be rezoned to PD to achieve consistency with the General Plan

Sources: County of Stanislaus Assessor; City of Newman; Coastplans.com

Figure II-5
Vacant and Underutilized Residential Sites
City of Newman



VACANT RESIDENTIAL SITES BY INCOME CATEGORY

In addition to listing all vacant and underutilized sites by zoning, sites were organized by qualifying income category to determine if the City of Newman has adequate sites for all income categories. For the purpose of this analysis, residential sites that are designated HDR in the Newman General Plan were categorized for very low or low-income housing. MDR sites and selected mixed-use sites (i.e., D and CR land use designations) were categorized as potential sites for moderate income housing. LDR sites and the balance of the mixed use sites were categorized as potential sites for market rate housing.

These categorizations are conservative in that MDR sites may yield very low and low income housing in some instances. For example, in November 2003, the City of Newman approved a residential density bonus project on an MDR site on Hardin Road. The approval allowed development of 24 two- and three-bedroom units (six residential fourplex buildings) at a density of 15 dwelling units per acre. In accordance with the Newman Municipal Code, the rent of two of the 24 units (10 percent) is restricted to be affordable to very-low-income families. Monthly rents for the remaining 22 unrestricted units will be \$750 and \$850, respectively, which is affordable to low-income families.

According to this analysis the City of Newman has adequate sites to accommodate its fair share in the moderate-income and above-moderate (market-rate) income categories but has insufficient sites for the low and very-low income categories. According to StanCOG (based on HCD's allocation for Stanislaus County), Newman's adjusted fair share of moderate-income housing is 189 units, and there are sites for 401 additional units. Newman's adjusted fair share of above moderate-income housing is 149 units, and there are sites for 1,212 additional units. For very low and low-income housing, Newman's adjusted fair share is 325 units, and there are sites for only 276 additional units – a shortfall of sites for 49 units. Using the same assumptions as used in Table II-21, this shortfall equates to a need for an additional 3.062 acres of R-3 land. As discussed in section on Housing Goals, Policies, Programs, and Objectives, this Housing Element proposes to re-designate/rezone 4.003 acres of land to High Density Residential (HDR)/Multi-Family Residential (R-3) (See Program III-1). Table II-22 summarizes the vacant land inventory by qualifying income category.

Table II-22
Summary Table of Vacant and Underutilized Land
By Qualifying Income Category

	Number of Sites	Number of Acres	Housing Potential	Adjusted HCD Allocation*	Deficit/Surplus
Very Low and Low Income	5	17.345	276	325	-49
Moderate Income	17	42.889	401	189	212
Market Rate	19	332.550	1,212	149	1,063
Total	41	392.784	1,889	663	1,226

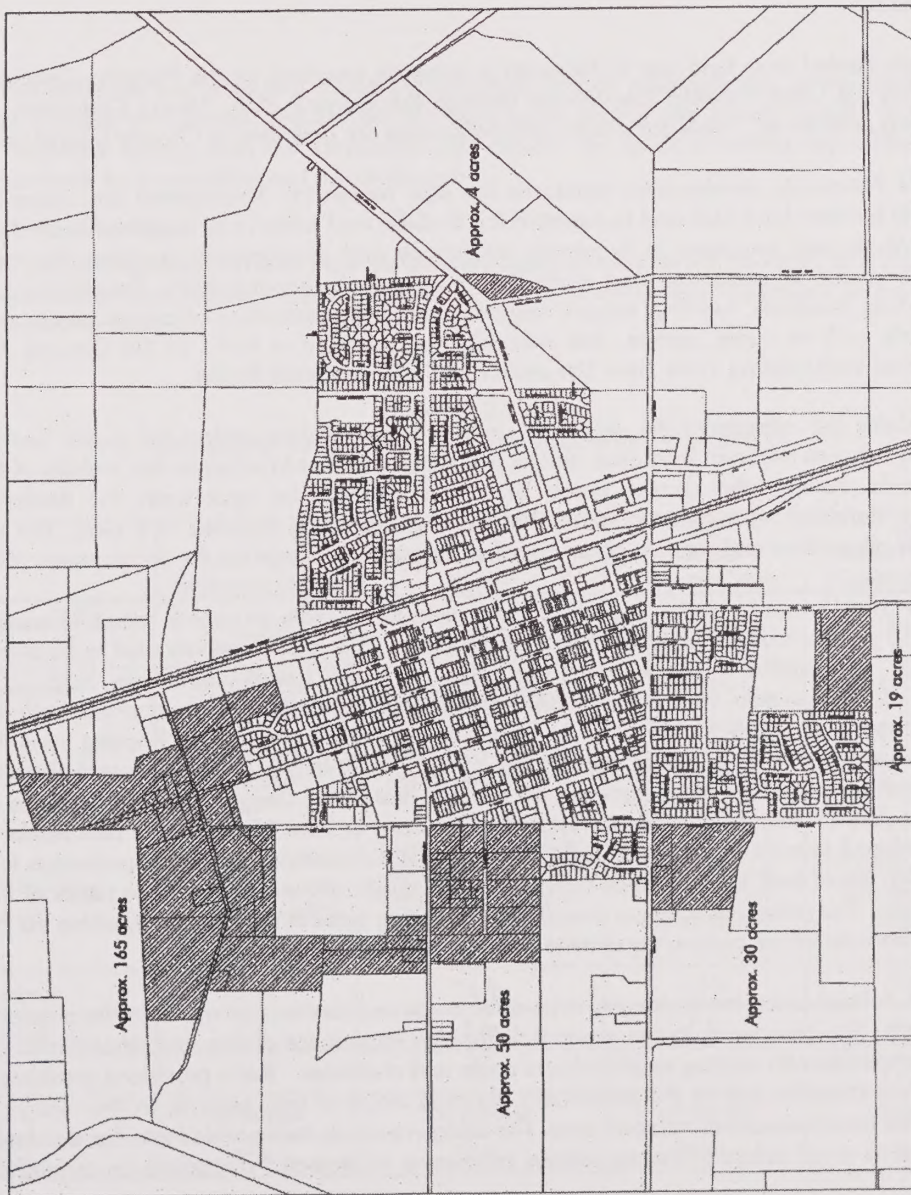
Note: *This allocation has been accepted by StanCOG.

Source: Coastplans.com

FUTURE GROWTH AREAS

In addition to sites that are vacant (or underutilized) and available for residential development, the City of Newman has approximately 268 acres of land outside its city limits but within its LAFCO primary sphere of influence that is available for residential development upon annexation. These acres are shown in Figure II-6.

Figure II-6
Additional Residential Land Available for Annexation
2003



Governmental Constraints

While local governments have little influence on such market factors as interest rates, their policies and regulations can affect both the amount of residential development that takes place and the affordability of housing. Since governmental actions can constrain development and affordability of housing, state law requires the housing element to "address and, where appropriate and legally possible, remove governmental constraints to the maintenance, improvement, and development of housing" (*Government Code* § 65583(c)(3)). The City's primary regulations affecting residential development and housing affordability include the *Land Use Element of its General Plan*, the *Zoning Ordinance*, and the City's processing procedures, standards, and fees related to development.

GENERAL PLAN

Discretionary control over land use in Newman is currently exercised by the Planning Commission, City Council, and the City's Planning Department through the *General Plan*, *Zoning Ordinance*, and other implementing ordinances. These documents and ordinances are described in Chapter I, Land Use.

The City of Newman's development standards for new residential development are meant to ensure compatibility between land uses and to maintain the livability and safety of its neighborhoods. The City has included policies and programs in its zoning regulations and development standards that address the community's interest in preserving and expanding its affordable housing stock. Development standards include parking standards, building setback requirements, and construction of certain on-site and off site improvements such as curbs, gutters, and sidewalks as described in Part I of the General Plan Policy Document and under zoning in the Land Use section of the Background Report.

These standards are considered the minimum standards designed to protect the public health, ensure compatibility between adjacent land uses, and to maintain as well as to enhance the livability of Newman's neighborhoods. Further, the density bonus provisions provide the opportunity for flexibility in the development standards when units of affordable housing are being included in a plan. This allows for evaluation of alternatives and reduces constraints that may otherwise exist for the development of housing.

Through the Land Use and Housing policies the City seeks to maintain an overall mix of 75 percent single family and 25 percent multi-family units in its housing stock. This ratio is not intended to be a capacity or maximum for any particular development but rather it is an overall community ratio. California Department of Finance data from January 2003 shows approximately 86 percent of the units within the City of Newman to be single family units. In striving to attain the stated mix of housing types this policy affords the opportunity for a higher percentage of new multi-family units. This provision is further enhanced by the provisions of the Neighborhood Planned Residential designation which provides that such development shall contain a full range of residential densities; at least 35 percent of new residential units shall be developed as multi-family residential. Other residential zones also afford opportunities for greater densities which would tend to imply opportunity for more multifamily units to meet the needs of the lower-income groups. This policy identifies an overall mix of housing types in the community within the context of the existing character of the community and the need for affordable housing.

Newman has defined a community identity in its older areas and its desire to maintain the character of the historic districts. The community design element defines the importance of new and rehabilitated structures which are compatible with existing neighborhood scale and character. These provisions provide guidance to developers and contractors at the preliminary planning stage of their projects so that design features reflect the scale and character of adjacent uses. The design review is incorporated into the standard project review process to avoid delays in the expeditious processing of projects. Limitations on architectural style

are central to the maintenance of the fabric and character of the neighborhood which make it an asset to the community and a desirable living environment.

As with the issue of compatibility of new units in older neighborhoods, the community has also defined value in the appearance of its gateways and circulation corridors. Landscaping is proposed to enhance these areas and the overall appearance of the community with potential provision of a citywide maintenance district to maintain the areas. These amenities may serve as a constraint on the development of affordable housing, depending on the extent of the improvements and cost to maintain them. The plan does identify means to minimize maintenance costs through the selection of materials and irrigation systems. The zoning ordinance affords opportunity for developers to have density bonuses and other incentives which can off set the cost of the amenity improvements.

ZONING

In accordance with state law, cities and counties have broad latitude in establishing zoning standards and procedures. Outside of a general requirement for open space zoning and several specific requirements governing residential zoning, state law establishes only broadly the scope of zoning regulations and sets minimum standards for its adoption and administration.

Base Residential Districts

Newman's Zoning Ordinance has four base residential zoning districts, which allow up to a maximum of 29 dwelling units per acre. Table II-23 summarizes residential development regulations contained in the Newman Zoning Ordinance.

Table II-23
Synopsis of Regulations for Base Residential Districts
July 2003

Item	R-1 Single-Family Residential District	R-2 Duplex Residential District	R-3 Multiple- Residential District	R-M Mobile Home Park (Combining) District
Maximum Allowable Density (Units/Net Acre)	7 du/ac	15 du/ac	29 du/ac	18 du/ac
Minimum Area/Unit	6,000 sq. ft.	3,000 sq. ft.	1,500 sq. ft.	2,400 sq. ft.
Permitted Residential Uses	Single Family Dwellings	Single Family Dwellings, Duplex and Halfplex	Apartment, Duplex, Halfplex, Single Family Dwelling, and Triplex	Residential Manufacturing Housing
Conditionally Permitted Residential Uses	Duplex, Halfplex, Guesthouse, and Accessory Dwelling Unit*	Triplex, Condominium, Apartment, Dwelling Group, Boardinghouse, Guesthouse, and Accessory Dwelling Unit	Dwelling Group, Rooming, and Boardinghouse	Conditional uses allowed in base district
Front Yard Setback	20 ft.	15 ft.	15 ft.	25 ft.
Side Yard Setback	5 ft.	5 ft.	5 ft.	5 ft.
Rear Yard Setback	10 ft.	15 ft.	15 ft.	15 ft.
Lot Coverage	40 percent	60 percent	80 percent	60 percent
Building Height	30 ft.	35 ft.	35 ft.	30 ft.

Item	R-1 Single-Family Residential District	R-2 Duplex Residential District	R-3 Multiple- Residential District	R-M Mobile Home Park (Combining) District
Parking				
SFDs	2 spaces	2 spaces	2 spaces	2 spaces
MFDs ≤ 2	n/a	2 spaces	2 spaces	2 spaces
MFDs ≥ 3	n/a	2 plus 1 per 5 units	2 plus 1 per 5 units	2 plus 1 per 5 units
Architectural Review	Yes	Yes	Yes	No

Notes: *Duplex and Halfplex units require 3,000 square feet of lot per dwelling unit

Source: City of Newman Zoning Ordinance

Residential Uses in "Non-Residential" Districts

In addition to the base residential zoning districts described above, the Newman Zoning Ordinance allows limited residential use in the following "non-residential" zones:

C-1, Retail Business District

Residential uses that are compatible with the district such as residential uses in buildings previously used for residential purposes and owner-occupied residential uses located at the rear of buildings or above the ground floor.

C-2, General and Service Commercial District

Residential uses in accordance with the standards of the R-3, Multiple-Family Residential District

M, Light Industrial/Business Park District

Residential, as listed in, and in accordance with, the standards of the Multi-Family Residential Zoning District

I, Controlled Manufacturing District

Residential uses only when accessory to a permitted or conditional use

Planned Development District

The Newman Zoning Ordinance contains a floating Planned Development (PD) District that can be applied to any property in the city of two acres or greater. The PD District, which requires the submittal of a development plan, allows design flexibility and a mix of densities and/or uses within the parameters of the General Plan. The PD designation and development plan must be adopted by the Newman Planning Commission.

Historical/Cultural Resource District

The Newman Zoning Ordinance contains a combining Historical/Cultural Resource (H-C) District designed to maintain the character of Newman's historic neighborhoods. The H-C District requires review of development plans by the Architectural Review Committee to ensure the project will not adversely affect the historical value of an existing structure or create an incompatibility with surrounding historic properties.

Density Bonus Overlay District

The Newman Zoning Ordinance contains a Density Bonus Overlay (DBO) District, which implements state law regarding density bonus incentives for affordable housing. The DBO District provides a density bonus for projects with at least 20 percent lower-income housing units, ten percent very-low-income housing units, or 50 percent senior-citizen units.

BUILDING AND HOUSING CODES

Building and housing codes establish minimum standards and specifications for structural soundness, safety, and occupancy. The State Housing Law requires cities and counties to adopt minimum housing standards based on model industry codes.

Code enforcement and inspection services within Newman are contracted out by the City. The City relies on the following uniform codes: the *Uniform Building Code*, *Mechanical Code*, *Uniform Plumbing Code*, and *Code for Abatement of Dangerous Buildings*, and *National Electrical Code*. The City has not adopted amendments to these uniform codes that operate as a significant constraint on the production of housing.

Code enforcement for existing buildings focuses primarily on nuisance abatement and condemnation of unsafe structures. Cities and counties pursue code enforcement in several ways, including:

Complaint-Response: The City may inspect buildings for deficiencies only upon receipt of complaints by neighbors or tenants.

Change of Occupancy for Rental Properties: A city may issue occupancy permits that require inspection and code compliance at time of turnover.

Systematic: Code enforcement on a systematic basis with provision for financial assistance is especially appropriate in areas where strong and supportive neighborhood groups exist, the majority of homes are owner-occupied, housing is relatively sound, and income levels are moderate-income or above.

Pre-Sale and "Truth in Sale": Pre-sale enforcement would require code inspection and violation abatement prior to sale of a home. A "truth in sale" ordinance would require information concerning code violations, zoning status, and property taxes to be provided to the buyer.

Concentrated Code Enforcement: Code inspections may be conducted on a systematic basis through certain areas or for specific properties (such as rental or multi-unit residences).

The City's enforcement activities are divided among three responsibility groups: new construction, maintenance, and nuisance abatement. New construction enforcement, as its name implies, applies to new buildings or construction projects for which building permits are required. Maintenance enforcement applies primarily to commercial and industrial projects and is conducted in conjunction with the granting of business licenses. Nuisance abatement is generally conducted on a "complaint-response" basis and typically concerns such problems as unsanitary conditions and unsafe structures. Primarily because of the lack of adequate replacement housing, the City has not been aggressive in its efforts to enforce housing-related codes as they apply to existing buildings.

PLANNING AND DEVELOPMENT FEES

Residential developers in Newman are required to pay permit processing fees charged by the City of Newman and impact/development fees charged by both the City of Newman and Stanislaus County. Each of these is discussed below.

Local Permit Processing Fees

State law requires that permit processing fees charged by local governments not exceed the estimated actual cost of processing the permits. Table II-24 lists the fees charged by the City of Newman for processing various land use permits.

Table II-24
City of Newman Planning Fees
 2003

Planning Item	Cost
General Plan Amendment	\$510
Specific Plan	Actual cost
Rezone	\$550
Rezone to Planned Development (PD)	\$825 ¹
Zoning Ordinance Amendment	\$760
Tentative Subdivision Map	\$590 ²
Final Subdivision Map	\$375
Tentative Parcel Map	\$275
Final Parcel Map	\$75
Lot Line Adjustment	\$175
Certificate of Compliance	\$190
Use Permit	\$185
Home Occupation Use Permit	\$25
Variance	\$340
Environmental Review	\$75
Neg Dec/Environmental Impact Report	Actual cost
Time Extension	\$75
Appeal	\$150
Annexation and Pre-zone	\$850 ³
General Plan Amendment/Rezone	\$750

Source: City of Newman, Ordinance No. 89-18

Notes: ¹\$275 refunded if project is completed. Otherwise will be used to zone property back to original zoning designation

²Plus actual cost by City Engineer

³Plus all of the following: 1. Election costs if one is necessary; 2. LAFCO filing fee and State Board of Equalization fee; 3. Maps and legal description that accompanies with State Board of Equalization and LAFCO standards; and 4. \$250 if protest hearing is required.

City and County Development Fees

In addition to the fees that the City assesses to process planning related permits, it also charges various fees related to actual development of projects. Table II-25 lists Newman's development fees.

Table II-25
City of Newman Development Fees
2003

	March 2003 thru Feb 2004			Vesting Maps as of March 2003		
	Low Density	Med Density	High Density	Low Density	Med Density	High Density
Water	\$801.09	\$391.10	\$244.44	\$801.09	\$391.10	n/a
Traffic	\$2,905.17	\$2,588.06	\$2,043.21	\$1,722.12	\$1,402.81	n/a
Storm	\$1,331.74	\$650.17	\$406.36	\$864.75	\$422.18	n/a
Sewer	\$544.21	\$265.69	\$166.06	\$544.21	\$265.69	n/a
Park	\$3,738.73	\$3,693.59	\$3,357.82	\$2,006.84	\$1,605.47	n/a
Municipal	\$2,021.91	\$1,994.19	\$1,812.11	\$1,735.70	\$1,561.78	n/a
TOTAL	\$11,342.85	\$9,582.80	\$8,030.00	\$7,674.71	\$5,649.03	n/a

Source: City of Newman

In addition to City development fees, Stanislaus County levies development fees on residential and non-residential development on a countywide basis, including development that takes place in incorporated cities. Countywide fees fund roads, jails and courts, library, parks, public health, and other costs. Table II-26 lists the countywide development fees for residential uses.

Table II-26
Countywide Development Fees
City of Newman
2003

Fee	Single Family	Multi-Family	Senior Housing
Intercity Roads	\$1,904.85	\$1,276.25	\$761.94
Jails	844.03	844.03	278.56
Justice	77.76	77.76	25.66
Library	271.23	271.23	89.51
Parks Fee	881.99	881.99	291.09
Public Health	265.83	265.83	87.73
Emergency Services	16.44	16.44	5.43
Animal Services	39.26	39.26	12.96
BHRS	224.62	224.62	74.13
Other Facility	768.31	768.31	253.57
Admin. Fee	132.36	116.64	47.01
Total Fee	\$5,426.68	\$4,782.36	\$1,927.59

Source: County of Stanislaus, as of April 5, 2003

Summary of Fees on New Residential Development

In the City of Newman, planning, development, and school district fees amount to \$21,270 per SFD unit and \$15,037 per MFD unit. These fees are slightly higher than the average for North San Joaquin Valley and as such do not represent an extraordinary constraint on residential development. According to "Pay to Play, Residential Development Fees in California Cities and Counties, 1999" (HCD, August 2001), average per units planning and development fees in North San Joaquin Valley are \$20,277 per SFD unit and \$13,147 per MFD unit (these fee estimates exclude planning and building check fees, which average \$3,300 per SFD unit and \$1,431 for MFD unit in the region). Table II-27 summarizes fees for single family and multi-family residential development in Newman.

Table II-27
Summary of Fees
Typical Single Family and Multi-Family
Residential Development

	25-Unit Single Family Subdivision	45-Unit Multi-Family Development
Planning Fees	\$400	\$175
City Development Fees	\$11,343	\$8,030
County Development Fees	\$5,427	\$4,782
School District Fees*	\$4,100	\$2,050
Total	\$21,270	\$15,037

Note: *This assumes a 2,000 square foot SFD and a 1,000 square foot MFD, each at \$2.05 per square foot

Source: City of Newman; Coastplans.com

PERMIT PROCESSING PROCEDURES AND TIMES

The planning and building permit process for a large single family subdivision typically takes six months to a year to process and involves preparation of a negative declaration or environmental impact report, approval of tentative and final subdivision maps, and issuance of building permits and certificates of occupancy for each dwelling unit. This length of time involved in completing this process varies widely, depending on the degree to which plan submittals conform to city standards and the complexity of environment issues that are present on a particular site. These processing times are typical for Central Valley cities. Infill projects are simpler and quicker because they typically require only a tentative parcel map (or no subdivision at all) and may be exempt from the California Environmental Quality Act. The planning and building permit process for multi-family projects typically less than a single family subdivision requiring three to six months. This is because multi-family development does not typically require subdivision or parcel maps, which eliminates the need for Planning Commission review and City Council approval.

The time lines with which the City processes the various permits and applications necessary for residential development can affect the overall cost of housing. The minimum processing time for residential development project applications in Newman is determined by state requirements for environmental review and public notice and by the meeting schedules of the Planning Commission and the City Council. The maximum time for processing residential development permits is set by state law (California Government Code §65929 et seq). The statutory time limit for completion of environmental review and approval or denial of a permit application starts when an application is accepted by the lead agency (i.e., the City) as complete. The lead agency then has one year in which to approve or disapprove a project for which an EIR will be prepared or six months for projects for which no EIR is prepared.

The City currently processes residential development applications in the shortest possible time, given requirements for environmental review, public notice, and the schedules of the Planning Commission and City Council. Table II-28 summarizes permit processing times in the City of Newman.

Table II-28
City of Newman Permit Processing Times
 2003

Planning Item	Processing Time
General Plan Amendment	3 months
Specific Plan	6 months to 1 year
Rezone	3 months
Rezone to Planned Development (PD)	3 to 6 months
Zoning Ordinance Amendment	3 months
Tentative Subdivision Map	6 months to 1 year
Final Subdivision Map	1 month
Tentative Parcel Map	3 months
Final Parcel Map	1 month
Lot Line Adjustment	2 months
Certificate of Compliance	2 weeks
Use Permit	3 months
Home Occupation Use Permit	2 weeks
Variance	3 months
Environmental Review	2 weeks
Neg Dec/Environmental Impact Report	2 months to 1 year
Time Extension	n/a
Appeal	1 month
Annexation and Pre-zone	1 to 3 years

Source: City of Newman

ON- AND OFF SITE IMPROVEMENTS

Like all cities, the City of Newman requires new development to provide a variety of on- and off-site improvements. Improvements required by the City of Newman are standard for California cities and do not pose an extraordinary constraint to residential development. Table II-29 summarizes typical improvements for residential development.

Table II-29
Required Improvements for Residential Development
 November 2002

Subject	Project-Related Improvements and Fees
Street Improvements	✓ Provide all on-site streets, curbs, gutters, sidewalks, fire hydrants, and street lighting. The typical city street has a 50- to 60-foot right-of-way with a 40-foot pavement area, a five-foot sidewalk with attached vertical curb, and on the 60-foot right-of-way, a five-foot utility corridor on each side. ✓ If existing street network does not provide adequate access or circulation to accommodate project, provide necessary off-site streets, curbs, gutters, sidewalks, and street lighting consistent with the design standards and standard specifications adopted by the City of Newman to adequately accommodate project.
Parks	✓ Provide five acres of park space for every 1,000 residents ✓ Dedication of land, dedication of improvements, in-lieu fees, or a combination of these, as determined acceptable by the City
Landscaping	✓ New subdivisions are required to install street trees. The City requires 15-gallon trees one per house (40' intervals on corner lots). ✓ All sections of a lot not devoted to buildings, decks, patios, sidewalks, lighting, signing, trash collection, parking, and/or driveway improvements shall be landscaped
Public Services	✓ Provide all on-site water, sewer, and storm drain infrastructure improvements to accommodate project. ✓ If existing infrastructure system does not have capacity to serve project, provide necessary off-site water, sewer, and storm drain infrastructure to adequately accommodate project
Miscellaneous	✓ Sound walls are required for new development when an environmental analysis has determined that there is a significant noise impact that could be mitigated by the construction of a sound wall. ✓ The City does not require public art.

Source: City of Newman

LOCAL EFFORTS TO ACCOMMODATE DISABLED PERSONS

State housing law requires a Housing Element to contain an analysis that demonstrates local efforts to remove governmental constraints that hinder the locality from meeting its share of the regional housing need and from meeting the need for housing for persons with disabilities. This requirement came about in 2001 legislative session (SB 520) and supplements the provisions of the Federal Fair Housing Amendments Act of 1988.

In its June 17, 2002 technical memorandum, HCD listed questions in three categories of analysis to guide the analysis of constraints on the development, maintenance and improvement of housing for persons with disabilities. These questions and Newman's response to these questions are shown in Table II-30 below.

Table II-30
Reasonable Accommodation Analysis

Category of Analysis	Response
Over-Arching and General	
Does the locality have any processes for individuals with disabilities to make requests for reasonable accommodation with respect to zoning, permit processing, or building laws? If so, describe the process for requesting a reasonable accommodation.	The City has no formal procedure for persons requesting reasonable accommodation.
Has the locality made any efforts to remove constraints on housing for persons with disabilities, such as accommodating procedures for the approval of group homes, ADA retrofit efforts, an evaluation of the zoning code for ADA compliance or other measures that provide flexibility?	No.
Does the locality make information available about requesting a reasonable accommodation with respect to zoning, permit processing, or building laws?	No.
Zoning and Land Use	
Has the locality reviewed all of its zoning laws, policies and practices for compliance with fair housing law?	No.
Are residential parking standards for persons with disabilities different from other parking standards? Does the locality have a policy or program for the reduction of parking requirements for special needs housing if a project proponent can demonstrate a reduced need for parking?	No, not directly. This City does however, require less parking (only 1 covered space per every three dwelling units) for senior and elderly housing. See Chapter 5.17, Off-Street Parking Regulations.
Does the locality restrict the siting of group homes? How does this effect the development and cost of housing?	No, family care homes, foster homes, or group homes serving six or fewer mentally disabled, or otherwise handicapped persons, or dependent or neglected children are allowed by right, without restriction in the R-1 Single Family Residential District. See Section 5.03.020 NMC)
What zones allow groups homes other than those residential zones covered by state law? Are group homes over six persons also allowed?	Group homes of any size are allowed in the R-2 and R-3 Zoning District with a special use permit (See Sections 5.04.040 and 5.05.040 NMC)
Does the locality have occupancy standards in the zoning code that apply specifically to unrelated adults and not to families? Do the occupancy standards comply with Fair Housing Laws?	Newman's occupancy standards comply with state law. The NMC defines "Family" as a "reasonable number of persons occupying a dwelling . . . living as a single housekeeping unit."
Does the land-use element regulate the siting of special need housing in relationship to one another?	No.

Category of Analysis	Response
Specifically, is there a minimum distance required between two (or more) special needs housing?	
Permits and Processing	
How does the locality process a request to retrofit homes for accessibility (i.e., ramp request)?	Such requests are processed through the Community Development Department through the building permit process.
Does the locality allow group homes with fewer than six persons by right in single-family zones? What permits, if any, are required?	Yes. Building permits are required.
Does the locality have a set of particular conditions or use restrictions for group homes with greater than 6 persons? What are they? How do they effect the development of housing for persons with disabilities?	There are no special restrictions.
What kind of community input does the locality allow for the approval of group homes? Is it different than from other types of residential development?	Group homes are required to obtain a special use permit.
Does the locality have particular conditions for group homes that will be providing services on-site? How may these conditions affect the development or conversion of residences to meet the needs of persons with disabilities?	There are no special conditions.
Building Codes	
Has the locality adopted the Uniform Building Code? What year? Has the locality made amendments that might diminish the ability to accommodate persons with disabilities?	Yes, year unknown. No amendments have been made to the UBC.
Has the locality adopted any universal design elements in the building code?	No.
Does the locality provide reasonable accommodation for persons with disabilities in the enforcement of building codes and the issuance of building permits?	The City does not explicitly provide for reasonable accommodations in the enforcement of building codes and the issuance of building permits.

Source: City of Newman

CONCLUSION

Much of the regulation and fees that accompany the development of housing act to increase the cost of housing and constrain the availability of affordable housing. Yet these regulations and fees are needed to protect city residents from the otherwise externalized effects and costs of development. With the exception of procedures for making reasonable accommodations for disabled persons, the City's regulations do not pose any unnecessary constraints to the production of affordable housing. Regarding reasonable accommodations for disabled persons, the City should adopt an ordinance creating a procedure for reasonable accommodations and study all of its development regulations to ensure that they are in compliance with the Fair Housing Act and the Americans with Disabilities Act.

NONGOVERNMENTAL CONSTRAINTS ON THE PRODUCTION OF HOUSING

The availability of housing is strongly influenced by market factors over which local government has little or no control. State law requires that the housing element contain a general assessment of these constraints. This assessment can serve as the basis for actions which local governments might take to offset the effects of such constraints. The primary market constraints to the development of new housing are the costs of constructing and purchasing new housing. These costs can be broken down into four categories: materials, labor, land, and financing. Newman can be considered as part of a very broad general housing market that includes the Central Valley area. For the most part, housing cost components in Newman are comparable to those in other parts of the general market area. The following paragraphs briefly summarize these components vis-à-vis the local market and the statewide market.

MATERIAL COSTS

A major component of the cost of housing is the cost of building materials, such as wood and wood-based products, cement, asphalt, roofing materials, and plastic pipe. Prices for these goods are affected primarily by the availability and demand for such materials.

Because the Central Valley is served by such a well-developed regional transportation network and because many of the materials needed for construction are produced in the region, availability of materials is excellent. The demand for building materials is also very high because there is so much housing development occurring in the area. The result of the combination of excellent supply and high demand is a very competitive market and, therefore, relatively low prices. In addition, the land in Newman which is most likely to be developed in the future for housing is well-suited for the kind of large projects which allow developers to realize economy-of-scale savings on materials.

The cost of building materials in the Central Valley in general and in Newman in particular is relatively low and therefore does not constitute a constraint to the development of affordable housing.

COST OF LABOR

Another major cost component of new housing is labor. Inflated labor costs due to high wage rates significantly increase the overall cost of housing in some markets. The cost of labor in Newman is, however, relatively low for a number of reasons. Overall, the Central Valley's cost of living is relatively low; wage scales in the area, therefore, tend to be somewhat lower than in markets with higher living costs, such as the San Francisco Bay Area. Also labor is generally less costly because the area is predominantly non-union. Labor in highly unionized markets is typically more expensive.

LAND COSTS

Costs associated with the acquisition of land include the market price of raw land and the cost of holding land throughout the development process. These costs can account for as much as half of the final sales prices of new homes in very small developments or in areas where land is scarce. Among the variables affecting the cost of land are its location, its amenities, the availability of public services, and the financing arrangement made between the buyer and seller.

Because of the abundant availability of relatively inexpensive farmland in the area, land costs in the Central Valley housing market area are generally low. According Newman's Community Development Director, the cost for improved land in Newman is roughly \$7.50 per square foot, or \$45,000 for a typical 6,000 square foot lot. Unimproved land costs are much less, running \$25,000 to \$30,000 an acre.

COST AND AVAILABILITY OF FINANCING

The cost and availability of capital financing affect the overall cost of housing in two ways: first, when the developer uses capital for initial site preparation and construction and, second, when the homebuyer uses capital to purchase housing.

The capital used by the developer is borrowed for the short-term at commercial rates, which are considerably higher than standard mortgage rates. Commercial rates nonetheless drop when the overall market rates decrease, so low interest rates have a positive effect on the housing construction market. According to the Newman Community Development Director, construction financing for single family homes is readily available to developers building in Newman. Construction financing for multi-family construction is also available, but affordable housing developers typically rely on government financing or tax credit deals. In general, the high demand for housing in the Central Valley has generated a robust market for construction financing.

The typical homebuyer uses capital financing in the form of long-term mortgage loans, and the ability to obtain this kind of financing is very sensitive to interest rates. While interest rates are currently (October 2002) at an historic low, interest rates can fluctuate significantly during the course of the Housing Element planning period, and as interest rates go, buyer power decreases. Table II-31 shows the price of a house affordable to the moderate-income family in Newman at various interest rates.

Table II-31
Fluctuation in Buying Power
Price of House Affordable to the Median-Income Family
By Interest Rate

Median Income for a Four-Person Family = \$48,000¹

Interest Rate	Mortgage	Down Payment	Buying Power
5.00%	\$223,538	\$24,838	\$248,375
5.50%	\$211,346	\$23,483	\$234,829
6.00%	\$200,150	\$22,239	\$222,389
6.50%	\$189,853	\$21,095	\$210,948
7.00%	\$180,369	\$20,041	\$200,410
7.50%	\$171,621	\$19,069	\$190,690
8.00%	\$163,540	\$18,171	\$181,711
8.50%	\$156,064	\$17,340	\$173,405

Notes: ¹Up to 100 percent of median family income

²Assumes a 30-year fixed-rate mortgage term

³Assumes down payment is 10 percent of price

Source: Coastplans.com; California Department of Housing and Community Development

Interest rates are currently (July 2003) at 5.75 percent for a 30-year fixed-rate mortgage and 5.25 percent for a 15-year fixed-rate mortgage. The effective rate for adjustable rate mortgages is approximately 5 percent. At these interest rates, the moderate-income family of four can afford a house priced over \$235,000. Should interest rates increase during the next few years, however, buying power will decrease significantly. As shown in the table above, an increase in mortgage interest rates from 5.5 percent to 8.5 percent decreases the buying power of a moderate-income family by over 25 percent.

Potential homebuyers must also meet other financial requirements in order to purchase of home, including a down payment, insurance, and taxes. Down payment requirements can limit the ability of first-time homebuyers to purchase a home, even with an adequate annual income. Table II-32 shows the typical costs associated with buying a home.

Table II-32
Typical Housing Costs
(\$175,000)

Item	Cost
Sales Price	\$175,000
Down Payment (10%)	\$17,500
Approximate Closing Costs	\$5,000
Mortgage Balance (w/o closing costs included)	\$157,500
Annual Principal and Interest (5¾%; 30 years)	\$11,029
Approximate Insurance	\$600
Approximate Taxes	\$2,000
Total Annual Carrying Costs	\$13,629
Required Income @ 30% of Gross	\$45,431

Source: Coastplans.com

Regarding evidence of income groups that may be under-served by financial institutions, discussions with city staff indicate that there is no evidence of redlining in any of Newman's neighborhoods.

Housing Programs In Newman

Programs to support the development and provision of affordable housing in Newman are generally sponsored by the Stanislaus County Housing Authority and through state Community Development Block Grants.

SELF-HELP ENTERPRISES

Self-Help Enterprises administers four housing programs available to the City of Newman and its residents. These are: 1) the Housing Rehabilitation Program, 2) Multi-Family Development Program, 3) New Homes Program, and 4) Homebuyer's Assistance Program.

Housing Rehabilitation Program

Self-Help Enterprises was awarded \$500,000 grants in 2000 and 2002. The rehabilitation goals for these funds are 24 units. Self-Help Enterprises rehabilitated nine units since January 1, 2001 and currently has four loans pending. On average, the loans are \$46,543 per unit. Self-Help Enterprises has 23 persons on its interest list and plans to apply for additional CDBG funds in the coming years to meet these needs.

Multi-Family Development Program

Self-Help Enterprises is currently developing a 52-unit lower-income housing project on Prince Road in Newman. The project, which is called Rolling Hills, is financed by tax credits and will remain affordable for 55 years. Self-Help Enterprises completed another 52-unit project called Silva Ranch in 2000.

New Homes Program and Homebuyer's Assistance Program

These programs have not been active in Newman.

STANISLAUS COUNTY HOUSING AUTHORITY

The Stanislaus County Housing Authority administers the Section 8 Rental Subsidy program in Stanislaus County. In 1990, there were about 3,000 certificates being used countywide, only 8 of which were being used in Newman. The Housing Authority estimates that there are 27 applications in Newman pending. One of the reasons that there are so few in Newman is the limited number of rental units available. The Stanislaus County Housing Authority also owns and operates 16 conventional low-income housing units in Newman on Merced Street.

COMMUNITY DEVELOPMENT BLOCK GRANT

In July 1990, the City of Newman received a Planning and Technical Assistance grant from the State Department of Housing and Community Development (HCD) to conduct a housing conditions survey. The objectives of the survey were to assess the condition of Newman's housing stock, identify units in the city in need of rehabilitation, and to identify potential rehabilitation resources as a basis for future City rehabilitation efforts. In addition, under the HCD grant, the City conducted an interest survey to determine the level of interest in specific rehabilitation and housing subsidy programs for lower-income households and households with special needs. This survey provided information needed by the City to apply for State and Federal Housing Program Funds.

In June 1992, the City received \$500,000 grant to administer a City housing rehabilitation program. The program will involve grants of up to \$10,000 and loans of up to \$40,000 to rehabilitate single family, multi-family, and second units for low- and very-low income households.

As part of the Planning and Technical Assistance grant, the City also undertook an Affordable Housing Site Analysis to identify and evaluate sites that may be suitable for the development of lower-income households. The City also conducted a feasibility analysis to assess the financial feasibility of developing various types of housing and strategies or subsidies that could be used to develop affordable housing.

Redevelopment Agency Funds

The City of Newman created a Redevelopment Agency to assist in the elimination of blighting conditions in Newman and to ensure that the City's economic base would grow through the provision of public improvements, commercial and economic development, and affordable housing. The City created its sole Redevelopment Project Area in 1992, which consists of 610 acres. Under state law, The Newman Redevelopment Agency is required to set aside 20 percent of gross tax increment revenues to establish a Low and Moderate-Income Housing Fund (Housing Fund). Table II-33 summarizes projected RDA revenues through the five-year Housing Element Planning Period.

Table II-33
Projected RDA Revenues
FY 03/04 through FY 07/08

Fiscal Year	Projected Gross Tax Increment ¹	Debt Service	Admin Costs ²	Net Tax Increment	Housing Fund (20%)	RDA Fund (80%)
FY03/04	438,509	308,280	21,925	130,626	167,125 ³	104,501
FY04/05	447,586	287,415	22,379	137,792	27,558	110,233
FY05/06	456,851	282,215	22,843	151,794	30,359	121,435
FY06/07	466,308	281,915	23,315	161,078	32,216	128,862
FY07/08	475,961	281,245	23,798	170,918	34,184	136,734
Total	\$3,135,529	\$2,058,775	\$156,776	\$948,227	\$330,645	\$758,581

Notes: ¹These figures are calculated based on a 2.07% average annual growth rate. Mandated "pass-through" funds were deducted from the base year (FY 03/04), but increases in pass-through funds after FY 03/04 are not accounted for in this table. Accordingly, actual projected funds will be less as pass-through amounts increase.

²Administrative costs are assumed to represent five percent of projected tax increment.

³This amount includes \$141,000 in bond proceeds (the final year for bond proceeds).

According to the 1999-2004 Five-Year Implementation Plan, the RDA Housing Fund may be used to assist in substantial rehabilitation, new construction, gap financing, predevelopment costs, and directly related infrastructure improvements. According to the Housing Production Plan (contained in the Five-Year Implementation Plan) approximately 75 percent of available Housing Fund proceeds during the period FY 99/00 through FY 03/04 were targeted for housing rehabilitation efforts, and approximately 25 percent were targeted toward new home construction.

Using these same proportions as the basis for projecting spending priorities in the coming five-year period, means that there will be approximately \$248,000 available for housing rehabilitation efforts and \$82,700 available for new housing construction (including the First-Time Homebuyers Program) during the five-year period FY 03/04 through FY 07/08. The City of Newman is expected to update its Redevelopment Agency Five-Year Implementation Plan in 2004. A revised analysis of available funds and new program objectives will be adopted for the Redevelopment Agency at that time.

Analysis of Existing Assisted Housing

Pursuant to Government Code § 65583, an analysis of assisted housing was conducted for Newman to determine which, if any, assisted housing projects are eligible to change from low-income housing uses during the next 10 years due to termination of subsidy contracts, mortgage prepayment, or expiration of restrictions on use.

There are three assisted projects in Newman – Valley Manor Apartments, Westside Village Senior Apartments, and Merced Street Apartments. Valley Manor Apartments, which contains 48 assisted housing units, was completed in March 1982 with FHA 221 (D)(4) and Section 8 program assistance. The project owner is in the process of opting out of the Section 8 subsidy (the 20-year restriction period ended on March 31, 2002) and selling the property. The Stanislaus County Housing Authority, is currently (June 2003) evaluating the feasibility of buying the property, but as the property is on the open market, there is no guarantee of success.

Westside Village Senior Apartments, which contains 40 assisted senior apartments, was completed in 2001 under a tax credit contract, which requires 55 years of income restrictions. One and two-bedroom apartments are available with prices ranging from \$295 to \$455 per month. Termination of subsidies cannot occur until 2056.

The Merced Street Apartments, which contains 16 low-income units, is owned by the Stanislaus County Housing Authority and will be held as assisted units for the life of the project.

Publicly-Owned Surplus Land

According to state law, all public agencies intending to dispose of surplus land must first send a written offer to any local agencies within whose jurisdiction the land lies offering to sell or lease the land for the following purposes: recreation or open-space uses; enterprise zone uses; schools; or development of low- and moderate-income housing. In the event that the agency disposing of the land receives more than one offer, it shall give first priority to the entity which agrees to use the site for development of low- or moderate-income housing, unless the land is already being used for park or recreation uses, in which case the entity offering to continue these uses shall receive priority (*California Government Code §54220 et seq*). There is no publicly-owned surplus land in Newman suitable for residential development.

Opportunities for Energy Conservation

As mandated by Government Code §65583(a)(7), each housing element must include an analysis of energy conservation opportunities in residential development. Such analysis must include a discussion of the subsidies and incentives that are available from public and private sources for energy conservation. An assessment of any changes that could be made to local building codes to increase energy conservation is also required while not placing undue constraints on affordable housing in the form of increased costs associated with building code changes.

EXISTING RESIDENTIAL ENERGY USE IN NEWMAN

According to 2000 US Census Bureau statistics, the predominant method for household heating fuel in Newman is natural gas, with 77.5 percent of the households reporting use of this method. Electricity was the second most common type of heating fuel used in Newman with 20.0 percent of the population reporting.

In comparison to the State-wide level, Newman's predominant use of gas and electricity as home heating fuel nearly mimics that of on the statewide level with 70 percent of statewide residents using utility gas and 22 percent using electricity.

IMPLICATIONS OF ENERGY USE

With the recent energy crisis experienced by communities throughout California, and with the majority of homes in Newman and California utilizing gas and electric fuel, the need to understand fuel consumption and the opportunities for energy conservation are never more pressing.

To place home fuel consumption in perspective, the Local Government Commission (LGC) a non-profit organization promoting sustainable and livable communities recently noted that the average California household's annual use of electricity produces the same amount of smog as the average car when driven across the country from Los Angeles to New York. In addition, the LGC notes that most electricity in the U.S is produced from coal, nuclear or natural gas plants. Production of electricity from these sources generates approximately two-thirds of the nations emissions associated with global warming, one-third of the pollution that causes acid rain and smog, and one-half of the nuclear waste in this country.

With the high number of households in Newman using both gas and electricity as fuel for their homes, and with electricity use on the rise, it is important to note several approaches available to the residents of Newman to reduce energy costs and consumption. Among the opportunities for energy conservation are subsidies and incentive programs offered on the state level, as well as implementation of subdivision ordinance revisions to encourage energy efficiency within new residential developments in Newman.

SUBSIDIES AND INCENTIVE PROGRAMS FOR HOUSEHOLD ENERGY CONSERVATION

The following are some of the many programs available to assist persons with energy conservation measures.

The U.S. Department of Energy: DOE has a program oriented towards assisting low income persons with energy efficiency. Under the Low Income Heating Energy Assistance (CAL-LIHEA) program, there are three separate programs including the Weatherization Program that provides assistance to qualifying households to replace inefficient appliances such as refrigerators, electrical water heaters, microwaves with efficient appliances. The program also assists with attic insulation, weather stripping and home repairs to make a home more energy efficient.

The California Energy Commission: CEC offers the Solar Shade Screen Program with \$1.5 million in cash refunds available to customers who want to lower their electricity use and increase their home or building comfort by retrofitting existing windows with solar screens. Eligible customers can receive a refund of up to \$1 per square foot for installed screens on all south, west and east facing windows, skylights and glass doors. The California Energy Commission also offers the Emerging Renewables Buy-Down Program designed to help homeowners install eligible renewable energy generation equipment and will pay up to 50 percent or \$4.50 per watt for the installation.

The California Public Utility Commission: PUC provides the 20/20 program that allows utilities to rebate 20 percent to customers who reduce their power usage by at least 20 percent compared to the previous summer, during the high demand summer months.

Pacific Gas and Electric: PG&E provides the Energy Partners program that provides free weatherization for low-income customers to make their homes more energy efficient.

Environmental Protection Agency: EPA provides an evaluation and product labeling process and called Energy Star that provide verification that certain products, appliances and homes meet 30 percent more energy efficiency than standard products.

ENERGY CONSERVATION DESIGN FOR NEW RESIDENTIAL DEVELOPMENTS

There are several relatively simple and yet proven community design techniques that can significantly improve not only the energy efficiency of a home but can contribute to the livability of a home and neighborhood. Such design techniques should be implemented through revisions to the subdivision ordinance or as required design guidelines for specific plan areas. Those design techniques include the following:

Street and Subdivision Patterns for Maximum Solar Access: Residential streets laid-out in an east-west alignment maximize southern exposure for typical residential lots. Orientation of homes on such lots with the broadest portions of the walls and roof facing south (whether in the front or rear) can increase the exposure to solar radiation and provide warmth for the home in the winter months. Such an orientation also provides a better opportunity to create a "grid" of streets that, in turn, help to interconnect a community, making it more pedestrian and neighbor friendly.

Home Design: The addition of large roof overhangs, such as broad porches, in home design provide much needed cooling shade in the summer, but allow low winter sunlight to enter the home. Porches lend an added livability benefit by providing an opportunity for neighbor interaction.

Trees on Residential Lots to Assist in Heating and Cooling: Careful placement of deciduous trees on a residential lot can greatly enhance energy efficiency. By placing large canopy deciduous trees proximate to the broadest part of a home, the summer shading from the tree can dramatically cool the residence by as much as 10 to 15 degrees. In the winter, when deciduous trees are dormant and leaf-less, maximum solar access is provided to the home. Use of low-water plant materials and less lawn on residential lots also contributes to resource conservation.

Energy Efficiency beyond the Residence: In addition to the simple residential design techniques for energy efficiency, Newman can broaden energy conservation and livability goals by requiring the placement of new homes in close, walkable proximity to retail and other commercial land uses, thus reducing dependence on air-polluting autos for short-distance vehicle trips.

General Plan Consistency

The 2003 Housing Element includes goals, policies, programs, and objectives that are generally consistent with the 1992 Newman General Plan. Due to the shortage of multi-family housing sites, however, this 2003 Housing Element begins the process of re-designating approximately five and one-half acres land from medium-density residential to high-density residential use. This re-designation creates a temporary inconsistency with the Newman General Plan Land Use Element and may also have secondary effects on the Transportation and Circulation Element and Public Facilities and Services Element. The re-designation does, however, serve to implement Policy I.C.1 of the Newman General Plan Land Use Element, which calls for the city to maintain an overall mix of 75 percent single family and 25 percent multi-family units in its housing stock.

The 2003 Housing Element places renewed emphasis on the more affordable forms of single family housing such as the halfplex and other zero-lot-line development. It also calls for the creation of a vesting interest in multi-family housing upon the annexation of new land into the City of Newman. These new programs are entirely consistent with the 1992 General Plan, which anticipates and accommodates a full range of housing types and densities.

With regard to the accommodation of new "fair share" housing goals, the 2003 Housing Element contains quantified objectives for new and rehabilitated housing that are consistent with the 1992 General Plan. The new objectives require no expansion of the planning area, nor do they change the location or timing of new development envisioned in the 1992 General Plan.

Public Participation and Contacts

Pursuant to Government Code § 65583(c), the City of Newman must make a diligent effort to achieve public participation of all economic segments of the community in the development of the Housing Element. Newman's public participation strategy involved extensive contacts with social service agencies, contacts with City officials, contacts with non-profit housing providers, and conversations with members of the public. In many instances, the advice of the people contacted became the basis for new housing policies and implementation measures. In one instance, a conversation with Housing Authority staff resulted in action to preserve the affordability of Valley Manor Apartments. In that housing advocacy for lower income families is part of the mission of many of the agencies contacted, the interest of these groups was well represented in the Housing Element process.

TELEPHONE CONTACTS

- ✓ Richard Shuben, Director of the Stanislaus County Housing Authority
- ✓ Laura Norwood, Stanislaus County Housing Authority
- ✓ Maria Spencer, Stanislaus County Housing Authority
- ✓ William Fagan, Finance Director, Stanislaus County Housing Authority
- ✓ Dave Meling, Executive Director of STANCO
- ✓ Michael Holland, Community Development Director, City of Newman
- ✓ Chief Brady, Newman Police Department
- ✓ Nancy Cook, Community Housing and Shelter Services
- ✓ Deborah Pullin, Modesto Men's Gospel Mission and Women's Mission
- ✓ Barbara Guthries, Modesto Men's Gospel Mission and Women's Mission
- ✓ Bonnie Romero, Hutton House
- ✓ Jerry Morris, Salvation Army
- ✓ Karen Sauceto, Self-Help Enterprises
- ✓ Cindy Hill, Self-Help Enterprises
- ✓ Nancy Goerszen, Self-Help Enterprises

PUBLIC WORKSHOP AND HEARINGS

In September 2003, the City of Newman held a widely publicized evening workshop that was attended by approximately 16 community members. There was lively participation in the meeting, which helped inform the Housing Element process. In November 2003, the Newman Planning Commission held a noticed public hearing and recommended adoption of the Housing Element to the Newman City Council. In December 2003, the Newman City Council held another noticed public hearing and adopted the Housing Element.

Analysis of 1998 Housing Element

The goal of the 1998 housing element was to provide an adequate supply of sound, affordable housing in a safe and satisfying environment for all residents of the City of Newman. This goal was supported by housing objectives, policies, and implementation programs. This section reviews the effectiveness of the 1998 housing element in accomplishing its implementation programs.

- 1998-III-1. The City shall work with and/or assist interested non profit and/or for profit developers who wish to rezone selected parcels within the existing city limits for medium and high density residential development to facilitate development of housing for very low-, low- and moderate income households (Time Frame: FY 92-93).

Status: During the 2000 annexation program, the City of Newman facilitated the development of an affordable mobile home project on Prince Road by increasing the total area of medium-density residential land by approximately five acres.

- 1998-III-2. The City shall work with and/or assist interested non profit and/or for profit developers who wish to rezone selected parcels within the existing city limits for medium and high density residential development to facilitate development of housing for very low-, low- and moderate income households (Time Frame: Ongoing).

Status: [Duplicate Program]

- 1998-III-3. In accordance with the requirements of state law, the City shall revise the *Zoning Ordinance* to provide for a density bonus of at least 25 percent and at least one other incentive for residential projects of five or more units which reserve at least 20 percent of their units for lower-income households, including elderly persons and families who meet the criteria for lower-income households. The City shall work with the Stanislaus County Housing Authority in developing procedures and guidelines for establishing income eligibility for the "reserved" units and for maintaining the "reserved" units as affordable units for at least 10 years. The City shall seek Housing Authority administration of the reserved units. The City shall establish a program to publicize the availability of the density bonus program and shall encourage prospective housing developers to use the program. Target: 20 units for very-low-income households and 40 units for low-income households (Time Frame: FY 92-93; 93-94).

Status: City adopted Chapter 5.14 of the Newman Zoning Ordinance, DBO (Density Bonus Overlay District), in October 1997. The City is currently (2003) processing a density bonus application for Valley Oaks Apartments. Of the total 24 units in the project, six were added as a result of the density bonus.

- 1998-III-4. The City shall review and modify the Zoning Ordinance standards for secondary dwelling units in residential zones to address criteria concerning floor area, relationship to principal residence, required parking, and other features. Once adopted, information will be published to make the community aware of the opportunities for second unit development Target: 15 units for very-low income households and 15 units for low-income households (Time Frame: FY 92-93; 93-94).

Status: City adopted Section 5.23.040 of the Newman Zoning Ordinance, Accessory Residential Units, in October 1997. Several units have been constructed since 1997, but verification is not possible as city records are poor.

- 1998-III-5. The City shall amend the Zoning Ordinance to provide for the establishment of mobilehomes and mobilehome parks consistent with the requirements of state law (Time Frame: FY 92-93; 93-94).

Status: City adopted Chapter 5.15 of the New Zoning Ordinance, R-M (Mobile Home Park District), in October 1997 to address regulation of mobile home parks; the R-1 District allows mobile homes, provided they meet the development standards of single family homes (i.e. two-car garage, design consistent with the neighborhood, etc.).

- 1998-III-6. The City shall amend the Zoning Ordinance to allow for the development of duplexes and halfplexes on corner lots as a permitted use in single family zoning districts (Time Frame: FY 92-93; 93-94).

Status: City revised Zoning Ordinance Section 5.03.040 (Conditional Uses, R-1 District) in October 1997, which allows duplexes and halfplexes on corner lots in the R-1 district.

- 1998-III-7. The City shall use local, state, and federal funding sources to support new construction to meet the needs of lower and moderate-income households. The City shall solicit the assistance of local nonprofit housing developers to prepare development programs for vacant sites identified in the Affordable Housing Study. The City shall work with nonprofit developers to prepare applications to the State for Community Development Block Grant funds to acquire appropriate sites and pay predevelopment costs (Time Frame: FY 92-93; 93-94).

Status: In 2000, the City of Newman used HOME monies (\$852,000) and Newman Redevelopment Agency set-aside funds (\$585,000) to assist in the development of Westside Village, a 40-unit apartment project for very low and low-income senior citizens developed by Sunrise Partners. The City also worked with Self-Help Enterprises on Silva Ranch Project, a 52-unit apartment project for lower income households.

- 1998-III-8. The City shall support and assist nonprofit developers in applying for additional funds to develop affordable housing projects. The following funding sources shall be the City's highest priority: Mortgage Revenue Bonds, HUD Mortgage Insurance Programs, Low Income Tax Credits, and State Rental Housing Construction. Target: 60 units for very-low-income households, 60 units for low income households, and 120 units for moderate-income households (Time Frame: FY 92-93 to 96-97).

Status: See response to III-7 above.

- 1998-III-9. The City shall use Redevelopment Agency Tax Increment Housing Set-Aside to assist in the development of lower income housing. Target: 10 units for very-low-income households and 10 units for low-income households (Time Frame: FY 93-94 to 96-97).

Status: See response to III-7 above.

- 1998-III-10. The City shall work with non-profit housing developers in the development of affordable housing, by providing technical assistance, cooperation, site identification, and promotion Target: 40 units for low-income households and 100 units for moderate-income households. (The low-income units are expected to be developed under a density bonus program and are accordingly accounted for under Program III-3) (Time Frame: FY 93-94 to 96-97).
- Status: See response to III-7 above.
- 1998-III-11. The City shall conduct a study of the feasibility of establishing in-lieu fees for new development to fund affordable housing projects (Time Frame: FY 93-94).
- Status: City staff studied the feasibility of adopting an inclusionary ordinance and in-lieu fee and found that there was insufficient support for the idea among City policymakers.
- 1998-III-12. The City may use Community Development Block Grant (CDBG) funds to subsidize on- and off-site infrastructure improvements for lower-income housing projects (Time Frame: Ongoing).
- Status: The City chose to focus its CDBG efforts on housing rehabilitation, and as such did not use any of these funds to support new affordable housing development.
- 1998-III-13. The City shall use local, state, and federal funding sources to support rehabilitation of housing to meet the needs of very-low and low income households. The City shall pursue Community Development Block Grant (CDBG) funding for housing rehabilitation as its initial rehabilitation strategy. The City shall contract with the Stanislaus County Housing Authority, Self-Help Enterprises, or other appropriate entity to implement the program. Target: 10 units for very-low income households and 10 units for low-income households (Time Frame: FY 92-93 to 96-97).
- Status: The City of Newman Redevelopment Agency provided the 10 percent match (\$280,000) for an HCD CDBG grant of \$1.9 million for a housing rehab project.
- 1998-III-14. After gaining experience with its initial rehabilitation program, the City shall pursue funding from the California Housing Program both Owner and Rental Components (CHRP-O and CHRP-R) and State Rental Rehabilitation Program (CECRP) for continued rehabilitation efforts. Target: 10 units for very-low-income households and 10 units for low-income households (Time Frame: FY 93-94; 94-95).
- Status: The City has not pursued CHRP-O and CHRP-R funds due primarily to its small planning staff (one person).
- 1998-III-15. The City shall use Redevelopment Agency Tax Increment Housing Set-aside to assist in the rehabilitation of lower income housing Target: 10 units for very-low-income households and 10 units for low-income households (Time Frame: FY 95-96; 96-97).
- Status: See response to III-13 above.

- 1998-III-16. The City shall adopt an amnesty program for the legalization of secondary units created without City approval (Time Frame: FY 92-93).
- Status: The City did not adopt an amnesty program for the legalization of second units due primarily to its small planning staff (one person).
- 1998-III-17. The City shall review its development standards and project review procedures and exempt affordable housing projects from these requirements as the study deems cost-effective and feasible (Time Frame: FY 92-93).
- Status: The City did not review its development standards due primarily to its small planning staff (one person).
- 1998-III-18. The City shall post and distribute information on currently available weatherization and energy conservation programs (Time Frame: Ongoing).
- Status: The City provides two free brochures at its front counter entitled: "Need Help with Your Energy Bill?" and "It Only Takes a Little Energy to Save a Lot" which are produced by the State of California as part of its "Flex Your Power Campaign." Both of these brochures provide information on weatherization and energy conservation.
- 1998-III-19. The City shall enforce state requirements, including Title 24 requirements, for energy conservation in new residential projects and shall encourage residential developers to employ additional energy conservation measures with respect to the siting of buildings, landscaping, and solar access (Time Frame: Ongoing).
- Status: The City enforces Title 24 as part of its building permit process. No additional measures are encouraged or required.
- 1998-III-20. The City shall annually review and publish the city's progress toward achieving the City's fair-share housing allocation as determined by SAAG (Time Frame: FY 92-93; annually thereafter).
- Status: The City did not review and publish the city's progress toward achieving the City's fair-share housing allocation due primarily to its small planning staff (one person).
- 1998-III-21. The City shall continue to cooperate with the Stanislaus County Housing Authority in its administration of the Section 8 rental assistance program. Target: 8 units for very-low-income households conserved; 16 units for new very-low-income households conserved (Time Frame: Ongoing).
- Status: The Section Certificate Program has been discontinued in favor of Housing Choice Vouchers.
- 1998-III-22. The City shall monitor the status of subsidized housing projects at risk of conversion to market-rate housing. If a Notice of Intent or Plan of Action pursuant to the Low Income Housing Preservation and Resident Homeownership Act of 1990 is filed, the City shall actively participate in obtaining financial assistance to preserve such units. Such funding sources may include community development block grants, redevelopment tax increment funds, or purchase by a non-profit housing agency (Time Frame: Ongoing).

Status: The Stanislaus Housing Authority, in coordination with the City of Newman, is working to buy Valley Manor Apartments and thereby prevent its conversion to market-rate housing. The City of Newman has pledged financial support to assist the Housing Authority in its efforts. The Section 8 contract for Valley Manor Apartments expired in 2002.

- 1998-III-23. The City shall continue to promote equal housing opportunities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, or color. To this end, the City shall establish a fair housing dissemination program, whereby the City shall publicize the complaint referral process through the local media, schools, libraries, post office, housing advocacy groups, or other appropriate institutions and organizations. To the extent feasible, this information shall be provided in both Spanish and English (Time Frame: Ongoing).

Status: The City of Newman posts information in both English and Spanish in its lobby bulletin board regarding equal housing opportunities and fair housing.

- 1998-III-24. The City [shall] review and update its *Affordable Housing Study* as necessary (Time Frame: As necessary).

Status: The Affordable Housing Study was published in January 1992 and has not been updated since because of staffing and budget shortages.

- 1998-III-25. The City shall provide information to developers to help them become aware of the "1990-97 Basic Construction Needs" in Newman and to encourage the provision of housing affordable for lower-income households and in particular, units for large families. The information shall include a summary of adopted density bonus provisions which assists in increasing densities and development incentives available when affordable units are provided (Time Frame: Ongoing with updates as incentive provisions are added).

Status: City planning staff consults with local developers on an individual basis to encourage the development of affordable housing and large housing units.

- 1998-III-26. The City shall incorporate provisions into its housing rehabilitation guidelines to allow room additions for severely overcrowded units (Time Frame: FY 92-93 to 96-97).

Status: Self-Help Enterprises, in Visalia, administers Newman's housing rehabilitation program and abides by the terms of the CDBG grants funds used in the rehabilitation program.

- 1998-III-27. In conjunction with the City of Newman Redevelopment Agency, the Stanislaus County Affordable Housing Corporation (STANCO) and local lenders, a Down Payment Assistance Program has been established to assist very low, low and moderate income households in purchasing a home within the City of Newman. Funding for the program may include Redevelopment Agency Housing Set-Aside Funds and HOME or CDBG funds (Time Frame: Ongoing).

Status: The program has been initiated and is being administered by Self-Help Enterprises. Self-Help Enterprises began the program in early 2003 and provides up to \$70,000 to enable first time homebuyers to qualify for 80 percent loans.

The homebuyer must provide a three percent contribution. Self-Help Enterprises has funds to assist five families in Newman.

- 1998-III-28. Credit Certificates allow first-time homebuyers to take up to 20 percent of their annual mortgage interest as a dollar-for-dollar tax credit against their federal income tax. Certificates are issued by the Stanislaus County Housing Authority (Time Frame: Ongoing).

Status: The Stanislaus County Housing Authority has assisted eight families in Newman since the program's inception in 1993.

Housing Goals, Policies, Programs, and Objectives

This section sets forth updated goals, policies, programs, and quantified objectives for housing in the City of Newman for the period between adoption (expected in December 2003) and the next housing element update (expected in 2008).

GOALS AND POLICIES

HOUSING

Goal III.A: To promote development of a balanced range and mix of housing types for all economic segments of the community. [same]

Policies:

- III.A.1 The City shall promote the provision of housing for all economic segments of the community and while doing so, seek to ensure the highest quality in all new residential development. [formerly III.A.8]
- III.A.2 The City shall endeavor to maintain an adequate supply of residential land in appropriate land use designations and zoning categories to accommodate Newman's fair share of projected regional growth, maintain normal residential vacancy rates, and keep downward pressure on residential land costs. [formerly III.A.1]
- III.A.3 The City shall seek to maintain an overall mix of 75 percent single family and 25 percent multi-family units in its housing stock. [formerly III.A.2]
- III.A.4 The City shall actively promote residential use in and adjacent to Downtown as a means of reinforcing Newman's Downtown Revitalization Program. [new; see III.A.7]
- III.A.5 The City shall require development of a mix of housing types in order to increase residential choices. In addition to requiring multi-family housing, the City shall require the development of attached single family housing, including halfplexes and other forms of zero-lot-line development. The City shall also encourage the construction of affordable rental units with three or more bedrooms to accommodate large households. [formerly III.A.4 and III.A.6; language on attached SFD is new]
- III.A.6 Housing affordable to very low-, low- and moderate-income families shall be dispersed throughout the community and incorporated into new development to promote social and

economic integration. Where possible, the City shall promote homeownership in new housing constructed for low- and moderate income households. [see III.A.5 and III.A.20]

III.A.7 The City shall pursue all available state and federal funding assistance that is appropriate to Newman's needs to develop housing that is affordable to low- and moderate-income households. As appropriate, the City shall work with other local jurisdictions and agencies to take advantage of state and federal funding programs. [see III.A.9, III.A.10, and III.A.19]

III.A.8 Consistent with other City objectives, the City shall ensure that its policies, regulations, and procedures do not add unnecessarily to the costs of producing housing. [formerly III.A.13]

III.A.9 The City shall provide for the development of secondary residential units, as required by state law, while protecting the single-family character of neighborhoods. Development of secondary residential units fronting on alleys shall be encouraged. [formerly III.A.14]

III.A.10 Where residential units that are required to sell or rent at below-market-rates are included within a housing development, such units shall be interspersed within the development, and to the extent reasonable, shall be visually indistinguishable from market-rate units. [formerly III.A.17]

III.A.11 The City shall work with the Stanislaus County Housing Authority, local nonprofit housing agencies, and the California Housing Partnership, in accordance with the Low Income Housing Preservation and Resident Homeownership Act of 1990, to preserve lower income housing units threatened with conversion to market-rate housing through prepayment of subsidized mortgages. [formerly III.A.24]

Goal III.B: To promote the maintenance, improvement, and rehabilitation of the city's existing housing stock and residential neighborhoods. [same]

Policies:

III.B.1 The City shall promote private reinvestment in older residential neighborhoods and private rehabilitation of housing. [same]

III.B.2 The City shall pursue all available state and federal funding assistance that is appropriate to Newman's needs to rehabilitate housing. Housing rehabilitation efforts shall be given high priority in the use of CDBG funds. [same]

III.B.3 The City shall support the revitalization of older neighborhoods by keeping streets and other municipal systems in good repair. [same]

III.B.4 The City shall promote the continued upkeep of existing mobilehomes. [same]

III.B.5 The City shall require abatement of unsafe structures, giving property owners ample opportunities to correct deficiencies. [same]

III.B.6 Existing housing occupied by very-low- or low-income households shall not be demolished without assurance of the availability of suitable alternative housing. [same]

III.B.7 The City shall promote the preservation of architecturally- and historically-significant residential structures. [formerly III.B.8]

Goal III.C: To encourage energy efficiency in both new and existing housing. [same]

Policies:

III.C.1 As required by state law, the City shall require the use of energy conservation features in the design of all new residential structures. The City shall also promote incorporation of energy conservation and weatherization features in existing homes. [same]

Goal III.D: To ensure the provision of adequate services to support existing and future residential development. [same]

Policies:

III.D.1 The City shall work with the Newman-Crows Landing Unified School District to ensure the availability of adequate school facilities to meet the needs of projected households in Newman. [same]

III.D.2 The City shall support the use of CDBG funds for upgrading streets, sidewalks, and other public improvements. [same]

III.D.3 The City shall ensure that new residential development pays its fair share in financing public facilities and services. [same]

III.D.4 Through the *Citywide Services Master Plan*, the City shall strive to ensure that necessary public facilities and services are available prior to occupancy of residential projects. [same]

Goal III.E: To promote equal opportunity to secure safe, sanitary, and affordable housing for all members of the community regardless of race, religion, sex, marital status, national origin, or color. [same]

Policies:

III.E.1 The City shall give special attention in affordable housing programs to the needs of special groups, including the physically and mentally disabled, large families, farm-workers, the elderly, and families with lower incomes. [same]

III.E.2 The City shall make available to the public information on the enforcement activities of the State Fair Employment and Housing Commission. [same]

III.E.3 The City shall continue to work with the County and surrounding jurisdictions to address the needs of the homeless on a regional basis. [same]

III.E.4 The City shall cooperate with community-based organizations which provide services or information regarding the availability of services to the homeless. [same]

PROGRAMS

- III-1 The City shall amend its General Plan Land Use Diagram to re-designate approximately 4.003 acres of land (identified as sites 9, 10, and 11 in Figure II-5) from Medium Density Residential (MDR) to High Density Residential (HDR) in order to accommodate housing for persons of all income categories as prescribed by the 2002 StanCOG fair share housing allocation. [new]

Time Frame: FY 03-04

- III-2 The City shall amend its Zoning Map to rezone sites as specified in Figure II-5 to achieve consistency between the Zoning Map and General Plan Land Use Diagram and provide adequate housing sites for persons of all income categories. [new]

Time Frame: FY 03-04

- III-3 The City shall, in cooperation with the Stanislaus County Housing Authority, place a measure on the local ballot that, if passed, would authorize public agencies such as the Housing Authority to develop low-rent housing projects in the City of Newman (referred to as an Article 34 vote). The ballot measure shall limit the size of any single low-rent housing project to 50 units or less, and in no case shall such low-rent housing constitute more than one percent of the total housing units existing in the city on January 1 of the year in which the housing is to be built (as reported by the California Department of Finance). [new]

Time Frame: FY 04-05

- III-4 The City shall undertake an inventory of Downtown sites that are suitable for townhouse-style and/or second-story housing. Such housing should be consistent with the historical character of neighborhoods adjacent to Downtown and reinforce Newman's Downtown Revitalization Program. [new]

Time Frame: FY03-04 through FY 08-09

- III-5 The City shall include in all specific plans and neighborhood plans adopted after January 1, 2004, provisions that, in addition to meeting the requirements to include a range of density types as specified in the General Plan Land Use Element, require that 6.4 percent of the single family units be attached single family housing. [new]

Time Frame: FY03-04 through FY 08-09

- III-6 The City of Newman shall include in all specific plans and neighborhood plans adopted after January 1, 2004, provisions that ensure that all multi-family housing prescribed by the plan is constructed concurrently with any single family housing being constructed in the plan area. The specific plan shall also contain a provision requiring property owners to tender an irrevocable offer to sell the multi-family property to the Stanislaus County Housing Authority at 50 percent of appraised value in the event that the subject property owner is unable or unwilling to construct the multi-family housing concurrently with other housing. For the purpose of this program, "concurrently" shall mean: "within one year of filing the first final map for any housing project in the plan area." [new]

Time Frame: FY 03-04 through FY 08-09

- III-7 The City shall, when applicable, include in all subdivision approvals after January 1, 2004, a notice as part of the conditions, covenants and restrictions (CC&Rs) that multi-family housing is planned for adjacent property. [new]

Time Frame: FY 03-04 through FY 08-09

- III-8 The City shall amend its second unit provisions contained in Section 5.23.040, Second Residential Units, of the Newman Zoning Ordinance to make them consistent with new state law (AB1866 2002) that governs processing of permits for second housing units. The revised sections shall make approval of second units a ministerial act. [new]

Timeframe: FY 03-04

- III-9 In approving subdivision plans, the City shall require developers to offer an optional design to homebuyers whose household has one or more disabled person. [new]

Time Frame: FY 03-04 through FY 08-09

- III-10 The City shall apply for Community Development Block Grant funds to analyze City development regulations for compliance with the Fair Housing Act and the Americans with Disabilities Act and for consistency with any proposed City ordinance setting forth procedures for requesting reasonable accommodations for disabled persons. [new]

Timeframe: FY 04-05

- III-11 The City shall amend its Municipal Code to create a procedure wherein persons with disabilities seeking equal access to housing may request reasonable accommodation in the application of zoning laws and other land use regulations, policies, and procedures. [new]

Timeframe: FY 03-04 through FY 08-09

- III-12 The City shall work with local nonprofit housing developers to prepare development programs for affordable housing on vacant sites identified in this Housing Element and to provide technical assistance. In August 2004, the City shall assist in the preparation of an application for state funds from the Multifamily Housing Program, which has increased funds available due to the passage of Proposition 46.

Time Frame: FY 04-05

- III-13 The City shall continue to support Self-Help Enterprises' housing rehabilitation program with local, state, and federal funding sources as available for the rehabilitation of housing for very-low and low income households. [see III-13, III-14, and III-15]

Time Frame: FY 03-04 through FY 08-09

- III-14 The City shall continue to post and distribute information on currently available weatherization and energy conservation programs. [formerly III-18]

Time Frame: FY 03-04 through FY 08-09

- III-15 The City shall continue to enforce state requirements, including Title 24 requirements, for energy conservation in new residential projects. [formerly III-19]

Time Frame: FY 03-04 through FY 08-09

- III-16 The City shall monitor the status of subsidized housing projects at risk of conversion to market-rate housing. If a Notice of Intent or Plan of Action pursuant to the Low Income Housing Preservation and Resident Homeownership Act of 1990 is filed, the City shall actively participate in obtaining financial assistance to preserve such units. [formerly III-22]

Time Frame: FY 03-04 through FY 08-09

- III-17 The City shall continue to promote equal housing opportunities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, or color. To this end, the City shall continue to disseminate information on fair housing, whereby the City publicizes the complaint referral process through the local media, schools, libraries, post office, housing advocacy groups, or other appropriate institutions and organizations. This information shall be provided in both Spanish and English. [formerly III-23]

Time Frame: FY 03-04 through FY 08-09

- III-18 The City shall provide information to developers to help them become aware of the 2001-08 Fair Share Housing Allocation in Newman and to encourage the provision of housing affordable for lower-income households and in particular, units for large families. The information shall include a summary of adopted density bonus provisions which assists in increasing densities and development incentives available when affordable units are provided. In addition, the City shall revise its density bonus ordinance (Chapter 5.14 NMC) to offer an additional five percent density bonus (from 25% to 30%) for qualified housing projects where 25 percent of the required affordable units have three or more bedrooms. [formerly III-25]

Time Frame: FY 03-04 through FY 08-09

- III-19 In conjunction with the Stanislaus County Affordable Housing Corporation (STANCO) and local lenders, City of Newman Redevelopment Agency shall continue to support the Down Payment Assistance Program that has been established to assist very low, low and moderate income households in purchasing a home within the City of Newman. [formerly III-27]

Time Frame: FY 03-04 through FY 08-09

- III-20 The Newman Redevelopment Agency shall offer relocation assistance to assist in the development of underutilized high-density residential sites that receive Redevelopment Agency assistance. [new]

Time Frame: FY 03-04 through FY 08-09

- III-21 The City of Newman shall work with the Housing Authority and Non-Profit housing developers to obtain funding for farmworker housing through the Joe Serna Jr. Farmworker Housing Grant Program.

Time Frame: FY 03-04 through FY 08-09

QUANTIFIED OBJECTIVES

Table II-34 presents Newman's quantified objectives for the period January 1, 2001 through January 1, 2008. These objectives represent a reasonable expectation for the construction of new housing units and the rehabilitation of existing housing units based on the policies and programs set forth in this General Plan Housing Element, the General Plan Land Use Element, and general market conditions.

Table II-34
Quantified Objectives for Housing
2001 to 2008

Item	Very Low	Low	Moderate	Above Moderate	Total
New Construction					
Adjusted Fair Share Allocation ¹	197	128	189	149	663
New Construction Objectives	100 ²	125 ³	147 ⁴	735 ⁵	1,107
Rehabilitation	24	23	0	0	47 ⁶
Conservation	48 ⁷	0	0	0	48

Notes: ¹These numbers have been adjusted to account for units built since January 1, 2001; the planning period for the Housing Element is January 1, 2001 through January 1, 2008.

²This represents the 52-units Rolling Hills project currently being constructed by Self-Help Enterprises on Prince Road, plus 48 additional units to be built on high-density residential land.

³This represents half of Sherman Ranch high-density land (75 units), plus 50 units built on other land designated for high-density housing.

⁴This represents the other half of Sherman Ranch high-density land (75 units), plus Sherman Ranch medium-density land (72 units).

⁵This represents 105 market-rate units built each year for seven years. The City currently has 1,113 market-rate units approved in vesting tentative maps.

⁶Self-Help Enterprises has rehabilitated nine units in Newman since January 1, 2001 and plans to rehabilitate an additional 15 units in the next year or two; Self-Help Enterprises has an additional 23 persons on its interest list and intends to apply for additional grant funds to meet this need during the five-year Housing Element planning period.

⁷This represents the conservation of the 48-unit Valley Manor Apartments.

Appendix A: Special Housing Requirements

In addition to requiring each city and county adopt a housing element, the California Legislature has enacted some very specific requirements to ensure that local regulatory procedures do not constrain housing development. This chapter summarizes these special housing mandates.

SECOND UNITS AND DENSITY BONUSES (§ 65583.1 AND § 65852.2 – AB 1866 OF 2002)

The Planning and Zoning Law permits the Department of Housing and Community Development to allow a city or county to identify adequate sites by a variety of methods. This new law authorizes HCD to also allow a city or county to identify sites for 2nd units based upon relevant factors, including the number of 2nd units developed in the prior housing element planning period.

The Planning and Zoning Law authorizes a local agency to provide by ordinance for the creation of 2nd units on parcels zoned for a primary single-family and multifamily residence, as prescribed. This new law requires, when a local agency receives its first application on or after July 1, 2003, that the application shall be considered ministerially without discretionary review or hearing, notwithstanding other laws that regulate the issuance of variances or special use permits. The new law also authorizes a local agency to charge a fee to reimburse the agency for costs it incurs as a result of these provisions.

The Planning and Zoning Law also requires, when a developer of housing proposes a housing development within the jurisdiction of the local government, that the city, county, or city and county provide the developer with incentives or concessions for the production of lower income housing units within the development if the developer meets specified requirements. Existing law requires the local government to establish procedures for carrying out these provisions. This new law revises those provisions to refer to an applicant who proposes a housing development and would recast them to, among other things, revise criteria for making written findings that a concession or incentive is not required, add criteria for continued affordability of housing in a condominium project, authorize an applicant to request a meeting on its proposal for a specific density bonus, incentive, or concession or for the waiver or reduction of development standards, and exempt developments meeting certain affordability criteria from specified laws. By increasing the duties of local public officials, the bill would impose a state-mandated local program.

The new law also authorizes an applicant to initiate judicial proceedings if the city, county, or city and county refuses to grant a requested density bonus, incentive, or concession in violation of these provisions, and would require the court to award the plaintiff reasonable attorney's fees and costs of suit. It would authorize a local agency to charge a fee to reimburse it for costs that it incurs as a result of these provisions.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This new law provides that no reimbursement is required by this act for a specified reason.

PROVISIONS TO PROVIDE FLEXIBILITY IN IDENTIFYING ADEQUATE SITES

Housing element law requires an identification of sites to facilitate the development of housing commensurate with the jurisdiction's share of the regional housing need for all income levels. Where sufficient sites have not been identified, the element must include a program to provide the necessary sites. Chapter 796, by adding Government Code §65583.1(c), provides alternative program options to address the adequate sites requirement. Specifically, local governments may meet up to 25 percent of their site

requirement by substituting existing units which will be made available or preserved through the provision of committed assistance to low and very-low-income households at affordable housing costs or affordable rents. To use this provision of the law, the housing element must include a program to do all of the following:

- Identify the specific, existing source of funds to be used to provide committed assistance and dedicate a portion of the funds for this purpose.
- Describe the number of units to be provided for low- and very low-income households and demonstrate that the amount of funds dedicated is sufficient to provide the units at affordable costs or rent.

Only units to be substantially rehabilitated, converted from non-affordable to affordable by acquisition of the units or the purchase of affordability covenants, or preserved at affordable housing costs by the acquisition of the units or purchase of affordability covenants are eligible, and must be identified in the program description.

GENERAL PLANS AND RESIDENTIAL DENSITY: (AB 2292 OF 2002)

The Planning and Zoning Law requires a city, county, or a city and county to adopt a general plan that consists of a statement of development policies and a diagram or diagrams and text setting forth objectives, principles, standards, and plan proposals, including a land use element that sets forth a statement of the standards of population density and building intensity recommended for districts and other territory covered by the plan. The act also requires that the maximum allowable residential density be consistent with the applicable zoning ordinance and the adopted general plan.

This new law prohibits a city, county, or a city and county, by administrative, quasi-judicial, or legislative action, from reducing, requiring, or permitting the reduction of the residential density for any parcel to a lower residential density that is below the density that was utilized by the Department of Housing and Community Development in determining compliance with housing element law, unless the city, county, or city and county makes written findings supported by substantial evidence that the reduction is consistent with the adopted general plan, including the housing element, and the jurisdiction's share of the regional housing need, as specified.

The new law also requires, until January 1, 2007, a court to award attorney's fees and costs of suit to specified plaintiffs or petitioners if the court finds that an action of a city, county, or city and county is in violation of these provisions, except as specified.

PROPERTY TAX EXEMPTIONS FOR AFFORDABLE HOUSING DEVELOPMENTS (SB 1509 OF 2002)

Existing property tax law requires the county auditor, in each fiscal year, to allocate property tax revenue to local jurisdictions in accordance with specified formulas and procedures, and generally requires that each jurisdiction be allocated an amount equal to the total of the amount of revenue allocated to that jurisdiction in the prior fiscal year, subject to certain modifications, and that jurisdiction's portion of the annual tax increment, as defined.

Existing property tax law also reduces the amounts of ad valorem property tax revenue that would otherwise be annually allocated to the county, cities, and special districts pursuant to these general allocation requirements by requiring, for purposes of determining property tax revenue allocations in each county for the 1992-93 and 1993-94 fiscal years, that the amounts of property tax revenue deemed allocated in the prior fiscal year to the county, cities, and special districts be reduced in accordance with certain formulas. It requires that the revenues not allocated to the county, cities, and special districts as a result of these

reductions be transferred to the Educational Revenue Augmentation Fund in that county for allocation to school districts, community college districts, and the county office of education.

This new law, for the 2003-04 fiscal year and each fiscal year thereafter, reduces the reduction and transfer amounts of qualified local agencies, as defined, by the property taxes lost as a result of the granting of a specified exemption from property taxes for affordable housing developments that are put into service on or after January 1, 2003. This new law requires that the reduction, resulting from this prohibition, in the amounts of ad valorem property tax revenue deposited in the county's Educational Revenue Augmentation Fund, be applied exclusively to reduce the amounts of ad valorem property tax revenue allocated from that fund to school districts and county offices of education. By imposing additional duties upon local tax officials in the apportionment of the allocation reductions required by this new law, this new law imposes a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This new law provides that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

DISAPPROVAL OF LOW- AND MODERATE-INCOME HOUSING PROJECTS

A local agency shall not disapprove a housing development project affordable to low- or moderate-income households or condition approval in such a manner which renders the project infeasible unless it finds one of the following:

- The jurisdiction has an adopted housing element and the project is not needed to meet its share of the regional housing need for low-income housing;
- The project would have a specific, adverse impact upon the public health or safety which could not be mitigated without rendering the project unaffordable to low- and moderate-income households;
- The denial is required in order to comply with specific state or federal law
- The approval would increase the concentration of lower-income households in a neighborhood that already has a disproportionately high number of lower income households and there is no alternative site on which the project could be developed without rendering the project unaffordable to low- and moderate-income households;
- The project is proposed on land zoned for agriculture or resource preservation which is surrounded on at least two sides by land being used for agriculture or resource preservation;
- The development is inconsistent with the jurisdiction's general plan land use designation, and the jurisdiction has an adopted housing element.

(Government Code §65589.5)

ALLOWING MULTI-FAMILY HOUSING BY RIGHT

Where a city's inventory of residential sites does not identify adequate sites to accommodate the need for groups of all household income levels, the Housing Element shall provide for sufficient sites with zoning that permits owner-occupied and rental multi-family residential use by right, including density and development standards that could accommodate and facilitate the feasibility of housing for very low- and low-income households (*Government Code § 65583*).

FINDINGS ON HOUSING LIMITS

Any city or county adopting or amending its general plan in a manner that limits the number of units that may be constructed on an annual basis must make specified findings concerning the efforts it has made to implement its housing element and the public health, safety, and welfare considerations that justify reducing the housing opportunities of the region (*Government Code § 65302.8 and § 65863.6*).

HOUSING DISAPPROVALS AND REDUCTIONS

When a proposed housing development complies with applicable local policies and regulations in effect at the time the application is determined to be complete, the local agency may not disapprove the project or reduce its density unless it makes specified findings (*Government Code § 65589.5*).

SOLAR ENERGY SYSTEMS

Cities and counties may not enact zoning provisions that effectively prohibit or unnecessarily restrict the use of solar energy systems, except for the protection of public health or safety. Allowable "reasonable restrictions" include those that do not significantly increase the cost of the solar system or significantly decrease its efficiency and those that allow for an alternative system of comparable cost and efficiency (*Government Code § 65850.5*).

SECONDARY RESIDENTIAL UNITS

To encourage establishment of secondary units on existing developed lots, cities and counties are required to either (1) adopt an ordinance based on standards set out in the law authorizing creation of second units in residentially zoned areas; or (2) where no ordinance has been adopted, allow second units by use permit if they meet standards set out in the law. Local governments are precluded from totally prohibiting second units in residentially zoned areas unless they make specific findings (*Government Code § 65852.2*).

MOBILEHOMES IN SINGLE-FAMILY ZONES

Cities and counties shall allow the installation of mobilehomes on permanent foundations on lots zoned for conventional single-family dwellings. Cities and counties shall only subject mobilehomes to the same development standards that apply to single-family dwellings. Any architectural requirements, however, shall be limited to roof overhang, roofing material, and siding material and shall not exceed those which would be required of a single-family dwelling constructed on the same lot. Any area considered to be of special historical interest may be exempted from this provision (*Government Code § 65852.3*).

MOBILEHOME PARKS

Health and Safety Code § 18300 preempts local authority to regulate mobilehome parks except in regards to a very limited set of powers, and vests the responsibility with the California Department of Housing and Community Development. Local authorities can assume responsibility for enforcement of regulations from

the department upon 30 days written notice to the department. Whether or not the local authority assumes enforcement powers from the state, it retains the power to:

- Establish certain zones for mobilehome parks and to prohibit mobilehome parks from nonresidential zones;
- Establish types of mobilehome uses including family mobilehome parks, adult mobilehome parks, mobilehome condominiums, mobilehome subdivisions, or mobilehome planned unit developments;
- Adopt rules and regulations prescribing park perimeter walls or enclosures on public street frontage, signs, access, and vehicle parking;
- Prohibit certain uses for mobilehome parks;
- Regulate the construction and use of equipment and facilities located outside of a mobilehome unit;
- Regulate the density of a mobilehome park provided the density is not less than that allowed for other residential uses within that zone;
- Require recreational facilities, recreational areas, etc., to the extent that such facilities or improvements are required for other types of residential developments containing a like number of residential units.

A mobilehome park is deemed by state law to be a permitted use on all land general planned and zoned for residential use (*Government Code* § 65852.7).

MOBILEHOME PARK CONVERSIONS

Any subdivider filing a tentative or parcel map to be created from the conversion of a mobilehome park to another use must prepare and file a report on the impact of the conversion on the displaced mobilehome park residents. The subdivider shall make a copy of the report available to each resident of the mobilehome park at least 15 days prior to the public hearing. The city or county with jurisdiction must consider the impact report at a public hearing and may require as a condition of approval of the conversion that the project sponsor mitigate the impacts of displacement. These provisions also apply when closure of a mobilehome park is the result of a decision by a local government entity or planning agency (*Government Code* § 65863.7 and § 66427.4).

NOTIFICATION ON MOBILEHOME PARK CONVERSIONS

A city or county that has received an application for a mobilehome park conversion must notify the applicant at least 30 days prior to any hearing or action of state and local requirements for applicant notification or mobilehome owners and park residents concerning the proposed change. No action may be taken on the application until the applicant has satisfactorily verified that mobilehome owners and park residents have been properly notified (*Government Code* § 65863.8).

LIMITATIONS ON DEVELOPMENT PERMIT FEES

Fees charged by local public agencies for zoning changes, variances, use permits, building inspections, building permits subdivision map processing, or other planning services may not exceed the estimated reasonable cost of providing the service for which the fee is charged. Fees may exceed this limit only with a two-thirds vote of the electorate (*Government Code* § 54990 and § 65909.5).

RESIDENTIAL ZONING

Cities and counties must zone a sufficient amount of vacant land for residential use to maintain a balance with land zoned for non-residential use (e.g., commercial and industrial) and to meet the community's projected housing needs as identified in the housing element of the general plan (*Government Code § 65913.1*).

RESIDENTIAL SUBDIVISION STANDARDS

Cities and counties may not impose standards for design and improvement for the purpose of making the development of housing for any and all economic segments of the community infeasible. Furthermore, it shall consider the effect of ordinances adopted and actions taken with respect to the housing needs of the region in which the local jurisdiction is situated (*Government Code § 65913.2*).

COORDINATED PERMIT PROCESSING

Each city and county must designate a single administrative entity to coordinate the review and decision making and provision of information regarding the status of all applications and permits for residential, commercial, and industrial developments (*Government Code § 65913.3*).

DENSITY BONUSES

When a developer agrees to construct at least 20 percent of the total units in a housing development for lower income households, 10 percent of the total units for very low income households, or 50 percent of the total units for qualifying senior citizens, the city or county must either grant a density bonus and at least one other concession or incentive, or provide other incentives of equivalent financial value. The developer must agree to ensure continued affordability for all lower income units for 30 years (10 years under particular circumstances). The density bonus must increase by at least 25 percent the other maximum allowable density specified by the zoning ordinance and the land use element of the general plan. Each city or county must set up procedures for carrying out these provisions (*Government Code § 65913.4 and § 65915*).

DENSITY BONUSES FOR CONDOMINIUM CONVERSIONS

When a developer proposing to convert apartments to condominiums agrees to provide at least 33 percent of the total units in the proposed condominium project for low or moderate income households, at least 15 percent of the total units for lower income households, the city or county must either grant a density bonus or provide other incentives of equivalent financial value. The density bonus must increase by at least 25 percent over the number of apartments to be provided within the existing structure proposed for conversion (*Government Code § 65915.5*).

CEQA AND DENSITY REDUCTIONS

Cities and counties may deny or reduce the density set forth by the general plan for a housing project only as a mitigation measure for a specific adverse impact upon public health or safety pursuant to the California Environmental Quality Act and only when there is no other feasible mitigation that would achieve comparable density results (*Public Resources Code § 21085*).

RESIDENTIAL ENERGY CONSERVATION

Cities and counties are required to adopt energy conservation standards for new residential dwellings (excluding apartment houses with four or more stories and hotels); (*Public Resources Code § 25402.1*).

REDEVELOPMENT REPLACEMENT HOUSING

Every redevelopment plan must contain provisions that provide replacement housing on a "one-for-one" basis for low and moderate income persons displaced by redevelopment activity within four years of demolition (*Health and Safety Code § 33413(a)*).

REDEVELOPMENT INCLUSIONARY HOUSING

Redevelopment agencies that develop affordable housing must develop at least 30 percent of all new or rehabilitated dwelling units to be affordable to low- and moderate-income families, at least half of which must be for, and occupied by, very low-income households (*Health and Safety Code § 33413(b)(1)*).

Redevelopment agencies must ensure that at least 15 percent of all new or rehabilitated dwelling units privately developed in a redevelopment project area will be affordable to low- and moderate-income households, of which 40 percent must be for, and occupied by, very low-income households (*Health and Safety Code § 33413(b)(2)*).

CONSERVATION OF AFFORDABLE HOUSING IN REDEVELOPMENT PROJECT AREAS

Redevelopment agencies must require all affordable units to remain affordable for "the longest feasible time, as determined by the agency, but not less than the period of the land use controls established in the redevelopment plan" (*Health and Safety Code § 33413(c)*).

REDEVELOPMENT AGENCY FUNDS FOR HOUSING

Redevelopment agencies must use at least 20 percent of tax increment revenues generated by a redevelopment project to increase and improve the community's supply of housing for persons of low and moderate income. Certain findings may be made by the agency to set aside less than 20 percent if no need exists for such housing, if less than 20 percent is required to meet the need, or if a substantial effort to meet the needs is being made (*Health and Safety Code § 33334.2*).

COMMUNITY CARE FACILITIES

A residential facility which serves six or fewer persons shall be considered a residential use of property, and the residents and operators of the facility shall be considered a family. No conditional use permit, zoning variance, or other zoning clearance shall be required which is not required of a family dwelling of the same type in the same zone (*Health and Safety Code § 1566.3 and § 1567.1*).

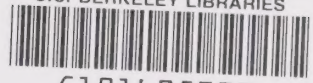
COMMUNITY CARE FACILITIES FOR THE ELDERLY

A residential facility for the elderly which serves six or fewer persons shall be considered a residential use of property, and the residents and operators of the facility shall be considered a family. No conditional use permit, zoning variance, or other zoning clearance shall be required which is not required of a family dwelling of the same type in the same zone (*Health and Safety Code § 1569.84*).

HOMES FOR MENTALLY DISORDERED, HANDICAPPED PERSONS, OR DEPENDENT AND NEGLECTED CHILDREN

A state-authorized, certified, or licensed family care home, foster home, or group home serving six or fewer mentally disordered, or otherwise handicapped persons, or dependent and neglected children shall be considered a residential use of property. Such homes shall be a permitted use in all residential zones (*Welfare and Institutions Code § 5116*).

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